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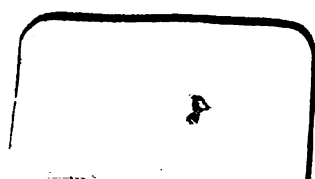
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Marius Coll.







# Acts and Resolves

As Passed by the

## Seventy-Eighth Legislature

OF THE

## STATE OF MAINE

1917

... ..

Including Acts and Resolves of the Special Session of the  
Seventy-Seventh Legislature held in 1916.

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Published by the Secretary of State, in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, and March 16, 1842.

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PORTLAND  
LORING, SHORT & HARMON  
1917

243037

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# Civil Government of the State of Maine

For the Political Years 1917 and 1918.

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ISLAND FALLS.

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# TABLE OF CONTENTS—PUBLIC LAWS.

SESSION OF 1917.

CHAP.		PAGE
1	An Act Providing for a State Paper.....	1
2	An Act to Amend Section Nineteen of Chapter Fifty-two of the Revised Statutes Relating to Compensation of Trustees of Savings Banks.....	1
3	An Act to Amend Section Five of Chapter Eighty-three of the Revised Statutes Relating to the Term of the County Commissioners Court in Washington County .....	2
4	An Act Amending Section Twenty-six of Chapter Fifty-two of the Revised Statutes, Relating to Duplicate Books of Deposit Issued by Savings Banks and Trust Companies .....	3
5	An Act to Amend Section Seventy-two of Chapter Fifty-two of the Revised Statutes Relating to Increase of Capital Stock of Trust Companies .....	3
6	An Act to Amend Section Seventy-three of Chapter Fifty-two of the Revised Statutes Relating to the Making of False Reports by Trust Companies .....	4
7	An Act to Amend Section Nineteen of Chapter Eighty of the Revised Statutes Relative to Title by Descent.....	5
8	An Act to Amend Section Forty-five of Chapter Sixty-four of the Revised Statutes, Relating to the Care and Custody of Minors.....	6
9	An Act to Provide Whole Family Protection for Members of Fraternal Benefit Societies .....	6
10	An Act to Amend Section One of Chapter Eighty-five of the Revised Statutes Relating to the Bonds of Sheriffs.....	8
11	An Act to Amend Sections Four and Five of Chapter Seventy-eight of the Revised Statutes, Relating to the Sale of Real Estate Subject to Contingent Remainders .....	9
12	An Act to Amend Section Fifty-six of Chapter Fifty-three of the Revised Statutes Relating to Retiring of Guaranty Capital of Mutual Fire Insurance Companies .....	10
13	An Act to Provide Compensation for Town Clerks for Issuing and Recording Burial Permits .....	12
14	An Act to Amend Section Thirty-eight of Chapter Forty of the Revised Statutes, Relative to Old Home Week.....	12
15	An Act Providing for a Centennial Week in Nineteen Hundred and Twenty and Authorizing Cities and Towns to Raise and Appropriate Money for the Observance thereof .....	13
16	An Act to Amend Section Twenty-three of Chapter One Hundred and Twenty-four of the Revised Statutes, Relating to Assaults upon or Interference with Officers .....	13
17	An Act to Amend Section One of Chapter Seventy-nine of the Revised Statutes, Relating to Wills .....	13
18	An Act Relating to Issuance of Duplicate Passbooks and Certificates by Loan and Building Associations .....	14
19	An Act Concerning Industrial Banks, Defining Same and Providing for their Incorporation, Powers, Supervision and Control.....	14
20	An Act to Amend Section Eight of Chapter Fifty-seven of the Revised Statutes, and Providing a Penalty for Evading Taxicab and Public Automobile Fares .....	16

## II

## CONTENTS.

CHAP.		PAGE
21	An Act to amend Section Twenty-seven, Sub-section Third, of Chapter Fifty-two of the Revised Statutes so as to Permit Savings Banks to Invest in Certain Corporation Bonds .....	17
22	An Act to Amend Section Sixty-seven of Chapter Forty-five of the Revised Statutes, Relating to Close Time on Scallops .....	18
23	An Act to Amend Section Eighteen of Chapter Forty-five of the Revised Statutes, Relating to the Lobster License Law.....	18
24	An Act to Amend Section Ten of Chapter Nine of the Revised Statutes, Relating to the Employment of Assistance by the Board of State Assessors in the Re-assessment of Real and Personal Property.....	19
25	An Act to Amend Section One Hundred Twenty-one of Chapter Fifty-three of the Revised Statutes, Relating to Insurance Agents and Brokers .....	20
26	An Act to Amend Section Thirty-five of Chapter Sixty-eight of the Revised Statutes, Relating to Powers of Special Administrators.....	21
27	An Act to Amend Section Eighty-eight of Chapter Fifty-three of the Revised Statutes, Relating to Reserves of Fire and Marine Insurance Companies .....	22
28	An Act to Amend Section Fifty-five of Chapter Fifty-five of the Revised Statutes, Relating to Review by the Supreme Judicial Court of Certain Rulings of the Public Utilities Commission.....	23
29	An Act to Amend Section Twenty-eight of Chapter Sixty-four of the Revised Statutes Relating to Registration of Vital Statistics.....	24
30	An Act to Amend Section One Hundred Seven of Chapter Fifty-two of the Revised Statutes, Relating to Loans by Loan and Building Associations..	25
31	An Act Additional to Chapter Sixty-seven of the Revised Statutes, and Increasing the Powers of Judges of Probate.....	26
32	An Act to Grant Legislative Assent to the Provisions of the Federal Aid Road Act and to Authorize the State Highway Commission to Co-operate with the Federal Government According to the Provisions of said Act....	26
33	An Act Additional to Chapter Forty-eight of the Revised Statutes, and giving Additional Power to Local Sealers of Weights and Measures and their Deputies .....	27
34	An Act to Amend Section Fifty-seven of Chapter Fifty-five of the Revised Statutes, Authorizing the Revision of Decrees of the Railroad Commissioners .....	27
35	An Act to Amend Section Eight of Chapter Fifty-eight, of the Revised Statutes, Relating to Approval of Location of Street Railroads.....	28
36	An Act to Authorize the Public Utilities Commission to Require Through Routes and Joint Rates by Common Carriers for the Transportation of Persons or Property .....	29
37	An Act to Amend Section Thirty of Chapter Twenty-four of the Revised Statutes, Relating to the Crossing of Railroad Tracks by Town Ways and Highways .....	29
38	An Act to Amend Section Thirty-four of Chapter Twenty-four of the Revised Statutes Relating to Highway Crossings of Railroads.....	30
39	An Act to Amend Section Forty-two of Chapter One Hundred Seventeen of the Revised Statutes, Providing for the Monthly Payment of Salaries of County Commissioners .....	32
40	An Act to Amend Section Two of Chapter Sixty-four of the Revised Statutes, Relating to Marriage of Feeble Minded Persons.....	33
41	An Act to Amend Section Thirty-four of Chapter Sixty-eight of the Revised Statutes, Relating to Special Administrators .....	33

CHAP.	PAGE
42 An Act to Amend Section Twenty-seven of Chapter Nine of the Revised Statutes, Relating to Returns by Railroad Companies for Purposes of Taxation .....	34
43 An Act to Amend Section Seventy-six of Chapter Sixteen of the Revised Statutes, Relating to the Inspection of Secondary Schools.....	34
44 An Act to Authorize the Public Utilities Commission to Investigate any Proposed Changes in the Rates of any Public Utility, and to Suspend the same Pending Investigation .....	35
45 An Act to Amend Section Twenty-seven of Chapter Fifty-two of the Revised Statutes, Relating to Investment of Deposits by Savings Institutions	36
46 An Act to Amend Section Thirty-nine, of Chapter Thirty of the Revised Statutes, Relating to the Inspection of Safe-Guards and Repairs, by Town Officers or Fire Engineers .....	37
47 An Act Additional to Chapter Seven of the Revised Statutes, Relating to the Purity of Elections .....	37
48 An Act to Provide for Physical Connection and Certain Auxiliary Service between Steam Railroads and Electric Railroads .....	38
49 An Act to Amend Section Forty-eight of Chapter Fifty-six of the Revised Statutes, Relating to Inspection of Railroads .....	39
50 An Act Requiring the Placing of Warning Signs at Grade Crossings.....	40
51 An Act to Amend Section One Hundred Seventeen of Chapter Sixteen of the Revised Statutes, Relating to the Employment of Agents for Schools in Unorganized Townships .....	41
52 An Act to Amend Section Three of Chapter Ten of the Revised Statutes Defining what Constitutes Real Estate for the Purposes of Taxation.....	42
53 An Act to Amend Section Twenty-four of Chapter Twenty-six of the Revised Statutes, Relating to the Registration of Manufacturers and Dealers in Motor Vehicles .....	42
54 An Act to Prevent Defacing Identification Marks on Motor Vehicles.....	43
55 An Act to Amend Sections Five and Forty of Chapter Five of the Revised Statutes, Relating to Boards of Registration of Voters.....	44
56 An Act to Amend Section Twenty-one of Chapter Eighty-three of the Revised Statutes, Relating to the Authority of County Commissioners to Procure Temporary Loans .....	45
57 An Act to Require Cities and Towns to Decorate the Graves of Veteran Soldiers and Sailors, and Authorizing the Appropriation of Money for that Purpose .....	45
58 An Act to Amend Paragraph Six and Paragraph Seven of Section Ninety-eight of Chapter Four of the Revised Statutes, Relating to By-laws of Towns, Cities and Villages .....	46
59 An Act to Amend Sections Fifty-one and Fifty-two of Chapter Four of the Revised Statutes, Relating to the Payment by the State of the Burial Expenses of Honorably Discharged Soldiers and Sailors .....	47
60 An Act to Amend Section One Hundred Ten of Chapter Sixteen of the Revised Statutes, Relating to Teachers' Associations.....	48
61 An Act to Amend Section Eight of Chapter Forty-eight of the Revised Statutes, Relating to Local Sealers of Weights and Measures.....	48
62 An Act to Amend Section Fourteen of Chapter Sixteen of the Revised Statutes, to Provide for the Approval of Plans for the Reconstruction or Remodeling of School Buildings .....	49
63 An Act to Amend Section One Hundred Twenty-five of Chapter Fifty-three of the Revised Statutes, Relating to Special Insurance Brokers.....	50

CHAP.		PAGE
64	An Act to Amend Section One Hundred Forty-six of Chapter Sixteen of the Revised Statutes, Relating to the Annual Appropriation for the Support of Normal and Training Schools .....	51
65	An Act to Amend Section One Hundred Eighteen of Chapter Sixteen of the Revised Statutes, Relating to Annual Appropriation for Schooling of Children in Unorganized Townships .....	51
66	An Act to Provide for a Non-Resident Fishing License .....	51
67	An Act to Amend Section Seventy-five of Chapter Sixteen of the Revised Statutes Relating to the Payment of Tuition by Towns not Maintaining Standard Schools of Secondary Grade .....	54
68	An Act to Amend Section Twenty-four of Chapter Five of the Revised Statutes, Relating to the Challenging of the Right of a Person to Vote..	54
69	An Act to Amend Section Nineteen of Chapter Five of the Revised Statutes, Relating to the Sessions of the Boards of Registration in Cities with over Thirty-five Thousand Inhabitants .....	55
70	An Act to Amend Section Fourteen of Chapter Fifty-eight of the Revised Statutes, Relating to the Extension of Charters of Street Railroads.....	57
71	An Act to Amend Section Seventy-four of Chapter Forty-five of the Revised Statutes, Relating to Fishing for Smelts in West Bay and West Bay Stream .....	57
72	An Act Providing for the Relief of Members of the Passamaquoddy Tribe of Indians Found Destitute beyond Tribal Reservations.....	58
73	An Act to Amend Paragraph Ten of Section Fifty-one of Chapter Eighty-two of the Revised Statutes, Relating to Trial Terms of the Supreme Judicial Court in the County of Oxford .....	59
74	An Act Relating to Annual or Biennial Reports of State Charitable and Correctional Institutions .....	59
75	An Act Amendatory of and Additional to Section Twenty-two of Chapter Fifty-five of the Revised Statutes, Relating to the Annual Closing of Accounts and Filing of Balance Sheet by Public Utilities .....	60
76	An Act to Amend Section Thirty of Chapter Fifty-six of the Revised Statutes, Relating to the Construction and Use of Branch Railroad Tracks....	61
77	An Act to Amend Section One Hundred Thirty-nine of Chapter Sixteen of the Revised Statutes, Relating to the Annual Appropriation for the Encouragement of Industrial Education .....	62
78	An Act to Amend Section Twenty-five of Chapter Thirty of the Revised Statutes, Providing for the Election of Inspectors of Buildings.....	62
79	An Act to Amend Section One Hundred Seventy-six of Chapter Sixteen of the Revised Statutes, Relating to the Appropriation for Teachers' Pensions	63
80	An Act to Amend Chapter One Hundred Forty-seven of the Revised Statutes, Relating to the State Board of Charities and Corrections.....	63
81	An Act to Amend Section Twenty-seven of Chapter Fifty-two of the Revised Statutes, Relating to the Investment of Deposits of Savings Banks..	64
82	An Act to Amend Section Twenty-four of Chapter Fifty-two of the Revised Statutes, Relating to the Withdrawal by a Minor of Deposits in Banking Institutions .....	65
83	An Act to Amend Section Forty-three of Chapter Fifty-two of the Revised Statutes, Relating to the Custody of Securities Owned by Savings Banks..	65
84	An Act to Amend Section Seven of Chapter One Hundred and Two of the Revised Statutes, Relating to Bastard Children and their Maintenance....	66
85	An Act to Amend Section Four of Chapter Sixty-two of the Revised Statutes, Relating to Recording of Certificates of Incorporation of and Payment of Fees for Same by Corporations without Capital Stock.....	67

CHAP.	PAGE
86 An Act Relating to the Probate of Foreign Wills.....	67
87 An Act to Amend Section Fifty-nine of Chapter Four of the Revised Statutes, Relating to Appropriation by Cities and Towns for Advertising....	68
88 An Act Additional to and Amendatory of Chapter One Hundred Thirty-nine of the Revised Statutes, Relating to Insane Inmates of the Reformatory for Women .....	68
89 An Act to Refund a Certain Bond Issued in Favor of the Trustees of the Maine Insane Hospital .....	70
90 An Act to Amend Section Thirty-four of Chapter One Hundred Forty-five of the Revised Statutes, Relating to Temporary Leave of Absence of Patients from Insane Hospitals .....	70
91 An Act Additional to Chapter Fifty-two of the Revised Statutes Relating to Limitation of Actions to Recover Money Paid on Forged Signatures.....	71
92 An Act to Amend Section Sixty-two of Chapter Two of the Revised Statutes, Relating to Deposit of State Funds .....	71
93 An Act to Amend Section Forty-seven, Chapter Fifty-five, Revised Statutes, Relating to Orders of the Public Utilities Commission and Their Enforcement .....	72
94 An Act Relating to the Issuing of Blank Writs by Clerks of the Supreme Judicial Courts, and Superior Courts, Clerks and Recorders of Municipal and Police Courts and Trial Justices .....	73
95 An Act Making it Unlawful to Give Checks or Drafts on Banks where the Maker has not Sufficient Funds or Credit to Pay Same, and Providing a Penalty therefor .....	73
96 An Act Amending Section Fourteen of Chapter Fifty-six of the Revised Statutes, Relating to the Construction of Extensions of Railroads.....	74
97 An Act to Amend Section One Hundred Fifty-seven of Chapter Fifty-three of the Revised Statutes, and Providing for the Payment of Premiums on Official Bonds of County Officials by the County.....	74
98 An Act to Prevent the Sources of Domestic Water Supply from Becoming Polluted .....	75
99 An Act to Amend Section Twenty-four of Chapter Forty-five of the Revised Statutes Relating to Prosecution of Violations of the Lobster Law.....	77
100 An Act to Amend Section Four, of Chapter Sixty-four of the Revised Statutes, Relative to the Recording of Intentions of Marriage.....	77
101 An Act Relating to Bonds in the Probate Court, Given by Executors and Administrators to Obtain License to Sell Real Estate, Amending Section Three of Chapter Seventy-six of the Revised Statutes .....	79
102 An Act to Amend Section Thirty-one of Chapter Three of the Revised Statutes, so as to Provide for Maximum Number of Annual Reports of the Public Utilities Commission.....	79
103 An Act to Amend Section Nine of Chapter Sixty-two of the Revised Statutes, in Regard to the Wearing of Badges.....	80
104 An Act to Repeal Section Twenty-seven of Chapter Fifty-one of the Revised Statutes which Requires Cashiers of Banks to Return to Secretary of State Names and Residences of and Number of Shares Owned by Stockholders, and Amount of Stock Paid in.....	81
105 An Act to Amend Section Nineteen of Chapter One Hundred Twenty-nine of the Revised Statutes, Relating to Trespasses on Improved Lands.....	81
106 An Act to Amend Section Twenty-seven of Chapter One Hundred and Twenty of the Revised Statutes Relating to Offenses against the Person of Female Children .....	82



CHAP.	PAGE
107 An Act to Amend Chapter Eighty-three, Section Five of the Revised Statutes, Relating to the Time and Place of Holding the County Commissioners Court in York County .....	82
108 An Act to Amend Section Ten of Chapter Seven of the Revised Statutes, Relating to Disposition of Unused Ballots on Election Day.....	83
109 An Act Additional to Chapter Five of the Revised Statutes, Imposing an Added Duty on Boards of Registration and Municipal Officers Acting as a Board of Registration .....	84
110 An Act to Amend Section Fifty-seven of Chapter Fifty-three of the Revised Statutes, Relating to Guaranty Capital of Mutual Insurance Companies..	84
111 An Act Additional to Chapter Fifty-two of the Revised Statutes, Providing a Penalty for Copying the Records of Banking Institutions.....	85
112 An Act Relating to the Registration of Information Concerning Aliens....	85
113 An Act to Amend Section Twenty-two of Chapter Fifty-two of the Revised Statutes with Reference to Deposits in Savings Banks and Institutions for Savings .....	86
114 An Act to Regulate the Payments of Appropriations for the Care, Treatment, Support and Education of Persons in Charitable or Benevolent Institutions not Wholly Owned or Controlled by the State.....	87
115 An Act to Amend Section One of Chapter Fifty-two of the Revised Statutes Relating to the Office of Bank Commissioner.....	88
116 An Act to Amend Section One of Chapter One Hundred and Thirty-eight of the Revised Statutes, Providing for the Payment by the County of Expenses Incurred by County Attorneys .....	89
117 An Act in Relation to Vacancies in Public Office.....	90
118 An Act to Amend Section One of Chapter Thirteen of the Revised Statutes Relating to the Election of County Treasurers.....	90
119 An Act Additional to Chapter Fifty-three of the Revised Statutes, Relating to the Payment of Benefits.....	90
120 An Act to Amend Section Seventeen of Chapter One Hundred Forty-five of the Revised Statutes, Relating to the Examination and Commitment of Persons to Insane Hospitals .....	91
121 An Act to Amend Section Seventeen of Chapter Twelve of the Revised Statutes, Providing for Notice by Registers of Deeds to Municipal Officers of Real Estate Transfers.....	92
122 An Act in Addition to Section Thirteen of Chapter Fourteen of the Revised Statutes Relating to Adoptions in the Penobscot Tribe of Indians.....	93
123 An Act to Amend Section Eighty-one of Chapter Four of the Revised Statutes, Relating to Assistance to Towns in Establishing Free Public Libraries .....	93
124 An Act to Amend Section Seventy-five of Chapter Four of the Revised Statutes Relating to Free Public Libraries .....	94
125 An Act to Amend Section Eighty-two of Chapter Four of the Revised Statutes, Relating to Instruction of Librarians.....	94
126 An Act to Amend Section One of Chapter One Hundred and Thirty of the Revised Statutes, Relating to Offenses against the Public Health, Safety and Policy .....	95
127 An Act Amending Section Ten of Chapter One Hundred and Twenty-nine of the Revised Statutes Relating to Malicious Mischiefs and Trespasses .....	96
128 An Act to Prevent Injuries to Property used for Public Purposes, and Amending Section Four of Chapter One Hundred and Twenty-nine of the Revised Statutes .....	96

CHAP.	PAGE
129 An Act to Establish a Legislative Reference Bureau in the State Library....	97
130 An Act Amending Sections Three and Twenty of Chapter One Hundred Forty-four, Section Twenty-nine of Chapter One Hundred Seventeen, Section Twenty-five of Chapter One Hundred Thirty-seven, of the Revised Statutes, and making Additional Provisions Pertaining to Inmates of State Juvenile Institutions, and Increasing the Salary of the Superintendent of the State School for Boys .....	98
131 An Act Amending Section Fifty of Chapter Fifty-five of the Revised Statutes, Authorizing Complaint by a Utility against Itself, and Empowering the Public Utilities Commission to Order Refund.....	101
132 An Act to Make Uniform the Law of Bills of Lading.....	102
133 An Act to Amend Chapter Sixty-seven, Section Twenty-six of Chapter Seventy, Section Forty-four of Chapter Sixty-eight, Sections Nine and Ten of Chapter Seventy-two, Section Ninety-five of Chapter Eighty-six, and Sections Fourteen, Fifteen, Twenty and Twenty-one of Chapter Ninety-two of the Revised Statutes; and to Repeal Sections Forty-two and Forty-three of Chapter Sixty-eight, and Sections Sixteen and Twenty-one of Chapter Ninety-two of the Revised Statutes, Relating to Notice of Appointment of Executors, Administrators, Guardians of Adults, and Conservators; and to Limitation of Actions against the Estates of Deceased Persons .....	114
134 An Act to Amend Section Thirty of Chapter Sixteen of the Revised Statutes, and Providing for Kindergartens as Part of the Common School Course .....	118
135 An Act to Amend Sections Twenty-eight and Twenty-nine of Chapter Fifty-five of the Revised Statutes, Relating to Notice by Public Utilities of Changes in Rates .....	119
136 An Act to Amend Section Eighty-two of Chapter One Hundred Fifteen of the Revised Statutes, Relating to Support of Debtors in Jail.....	120
137 An Act to Provide for the Registration of Teachers.....	120
138 An Act to Amend Section Sixty, Chapter Eight of the Revised Statutes relating to the Maine Forestry District.....	121
139 An Act to Amend Section Six of Chapter Forty-two of the Revised Statutes, Concerning Intelligence Offices .....	124
140 An Act to Amend Section Thirty-one of Chapter Sixty-eight of the Revised Statutes, Appropriating Moneys in the State Treasury Credited to Public Administrators' Fund .....	125
141 An Act to Provide for the Improvement and Certification of Seed Produced in the State .....	125
142 An Act to Amend Sections One, Eight and Twelve of Chapter One Hundred Twenty-six of the Public Laws of Eighteen Hundred Forty-four, Relating to the Preservation of Salmon, Shad and Alewives in Georges River and Tributary Streams .....	125
143 An Act to Make Uniform the Law of Warehouse Receipts .....	127
144 An Act Additional to Revised Statutes, Chapter Fifty-one, Relating to Corporations .....	139
145 An Act to Require Automatic Signals and the Removal of Obstructions at Certain Grade Crossings not Protected by Gates or Flagmen.....	143
146 An Act to Amend Section Twenty-one of Chapter Forty-nine of the Revised Statutes, Relating to Regulations for Employment of Minors between Fourteen and Sixteen Years Old.....	146
147 An Act to Amend Section Twenty-seven of Chapter Fifty-two of the Revised Statutes and to Permit Savings Banks to Invest in Certain Electric Railroad Bonds .....	147

CHAP.	PAGE
107 An Act to Amend Chapter Eighty-three, Section Five of the Revised Statutes, Relating to the Time and Place of Holding the County Commissioners Court in York County .....	82
108 An Act to Amend Section Ten of Chapter Seven of the Revised Statutes, Relating to Disposition of Unused Ballots on Election Day.....	83
109 An Act Additional to Chapter Five of the Revised Statutes, Imposing an Added Duty on Boards of Registration and Municipal Officers Acting as a Board of Registration .....	84
110 An Act to Amend Section Fifty-seven of Chapter Fifty-three of the Revised Statutes, Relating to Guaranty Capital of Mutual Insurance Companies..	84
111 An Act Additional to Chapter Fifty-two of the Revised Statutes, Providing a Penalty for Copying the Records of Banking Institutions.....	85
112 An Act Relating to the Registration of Information Concerning Aliens....	85
113 An Act to Amend Section Twenty-two of Chapter Fifty-two of the Revised Statutes with Reference to Deposits in Savings Banks and Institutions for Savings .....	86
114 An Act to Regulate the Payments of Appropriations for the Care, Treatment, Support and Education of Persons in Charitable or Benevolent Institutions not Wholly Owned or Controlled by the State.....	87
115 An Act to Amend Section One of Chapter Fifty-two of the Revised Statutes Relating to the Office of Bank Commissioner.....	88
116 An Act to Amend Section One of Chapter One Hundred and Thirty-eight of the Revised Statutes, Providing for the Payment by the County of Expenses Incurred by County Attorneys .....	89
117 An Act in Relation to Vacancies in Public Office.....	90
118 An Act to Amend Section One of Chapter Thirteen of the Revised Statutes Relating to the Election of County Treasurers.....	90
119 An Act Additional to Chapter Fifty-three of the Revised Statutes, Relating to the Payment of Benefits.....	90
120 An Act to Amend Section Seventeen of Chapter One Hundred Forty-five of the Revised Statutes, Relating to the Examination and Commitment of Persons to Insane Hospitals .....	91
121 An Act to Amend Section Seventeen of Chapter Twelve of the Revised Statutes, Providing for Notice by Registers of Deeds to Municipal Officers of Real Estate Transfers.....	92
122 An Act in Addition to Section Thirteen of Chapter Fourteen of the Revised Statutes Relating to Adoptions in the Penobscot Tribe of Indians.....	93
123 An Act to Amend Section Eighty-one of Chapter Four of the Revised Statutes, Relating to Assistance to Towns in Establishing Free Public Libraries .....	93
124 An Act to Amend Section Seventy-five of Chapter Four of the Revised Statutes Relating to Free Public Libraries .....	94
125 An Act to Amend Section Eighty-two of Chapter Four of the Revised Statutes, Relating to Instruction of Librarians.....	94
126 An Act to Amend Section One of Chapter One Hundred and Thirty of the Revised Statutes, Relating to Offenses against the Public Health, Safety and Policy .....	95
127 An Act Amending Section Ten of Chapter One Hundred and Twenty-nine of the Revised Statutes Relating to Malicious Mischiefs and Trespasses	96
128 An Act to Prevent Injuries to Property used for Public Purposes, and Amending Section Four of Chapter One Hundred and Twenty-nine of the Revised Statutes .....	96

CHAP.	PAGE
129 An Act to Establish a Legislative Reference Bureau in the State Library....	97
130 An Act Amending Sections Three and Twenty of Chapter One Hundred Forty-four, Section Twenty-nine of Chapter One Hundred Seventeen, Section Twenty-five of Chapter One Hundred Thirty-seven, of the Revised Statutes, and making Additional Provisions Pertaining to Inmates of State Juvenile Institutions, and Increasing the Salary of the Superintendent of the State School for Boys .....	98
131 An Act Amending Section Fifty of Chapter Fifty-five of the Revised Statutes, Authorizing Complaint by a Utility against Itself, and Empowering the Public Utilities Commission to Order Refund.....	101
132 An Act to Make Uniform the Law of Bills of Lading.....	102
133 An Act to Amend Chapter Sixty-seven, Section Twenty-six of Chapter Seventy, Section Forty-four of Chapter Sixty-eight, Sections Nine and Ten of Chapter Seventy-two, Section Ninety-five of Chapter Eighty-six, and Sections Fourteen, Fifteen, Twenty and Twenty-one of Chapter Ninety-two of the Revised Statutes; and to Repeal Sections Forty-two and Forty-three of Chapter Sixty-eight, and Sections Sixteen and Twenty-one of Chapter Ninety-two of the Revised Statutes, Relating to Notice of Appointment of Executors, Administrators, Guardians of Adults, and Conservators; and to Limitation of Actions against the Estates of Deceased Persons .....	114
134 An Act to Amend Section Thirty of Chapter Sixteen of the Revised Statutes, and Providing for Kindergartens as Part of the Common School Course	118
135 An Act to Amend Sections Twenty-eight and Twenty-nine of Chapter Fifty-five of the Revised Statutes, Relating to Notice by Public Utilities of Changes in Rates .....	119
136 An Act to Amend Section Eighty-two of Chapter One Hundred Fifteen of the Revised Statutes, Relating to Support of Debtors in Jail.....	120
137 An Act to Provide for the Registration of Teachers.....	120
138 An Act to Amend Section Sixty, Chapter Eight of the Revised Statutes relating to the Maine Forestry District.....	121
139 An Act to Amend Section Six of Chapter Forty-two of the Revised Statutes, Concerning Intelligence Offices .....	124
140 An Act to Amend Section Thirty-one of Chapter Sixty-eight of the Revised Statutes, Appropriating Moneys in the State Treasury Credited to Public Administrators' Fund .....	125
141 An Act to Provide for the Improvement and Certification of Seed Produced in the State .....	125
142 An Act to Amend Sections One, Eight and Twelve of Chapter One Hundred Twenty-six of the Public Laws of Eighteen Hundred Forty-four, Relating to the Preservation of Salmon, Shad and Alewives in Georges River and Tributary Streams .....	125
143 An Act to Make Uniform the Law of Warehouse Receipts .....	127
144 An Act Additional to Revised Statutes, Chapter Fifty-one, Relating to Corporations .....	139
145 An Act to Require Automatic Signals and the Removal of Obstructions at Certain Grade Crossings not Protected by Gates or Flagmen.....	143
146 An Act to Amend Section Twenty-one of Chapter Forty-nine of the Revised Statutes, Relating to Regulations for Employment of Minors between Fourteen and Sixteen Years Old.....	146
147 An Act to Amend Section Twenty-seven of Chapter Fifty-two of the Revised Statutes and to Permit Savings Banks to Invest in Certain Electric Railroad Bonds .....	147

CHAP.	PAGE
107 An Act to Amend Chapter Eighty-three, Section Five of the Revised Statutes, Relating to the Time and Place of Holding the County Commissioners Court in York County .....	82
108 An Act to Amend Section Ten of Chapter Seven of the Revised Statutes, Relating to Disposition of Unused Ballots on Election Day.....	83
109 An Act Additional to Chapter Five of the Revised Statutes, Imposing an Added Duty on Boards of Registration and Municipal Officers Acting as a Board of Registration .....	84
110 An Act to Amend Section Fifty-seven of Chapter Fifty-three of the Revised Statutes, Relating to Guaranty Capital of Mutual Insurance Companies..	84
111 An Act Additional to Chapter Fifty-two of the Revised Statutes, Providing a Penalty for Copying the Records of Banking Institutions.....	85
112 An Act Relating to the Registration of Information Concerning Aliens....	85
113 An Act to Amend Section Twenty-two of Chapter Fifty-two of the Revised Statutes with Reference to Deposits in Savings Banks and Institutions for Savings .....	86
114 An Act to Regulate the Payments of Appropriations for the Care, Treatment, Support and Education of Persons in Charitable or Benevolent Institutions not Wholly Owned or Controlled by the State.....	87
115 An Act to Amend Section One of Chapter Fifty-two of the Revised Statutes Relating to the Office of Bank Commissioner.....	88
116 An Act to Amend Section One of Chapter One Hundred and Thirty-eight of the Revised Statutes, Providing for the Payment by the County of Expenses Incurred by County Attorneys .....	89
117 An Act in Relation to Vacancies in Public Office.....	90
118 An Act to Amend Section One of Chapter Thirteen of the Revised Statutes Relating to the Election of County Treasurers.....	90
119 An Act Additional to Chapter Fifty-three of the Revised Statutes, Relating to the Payment of Benefits.....	90
120 An Act to Amend Section Seventeen of Chapter One Hundred Forty-five of the Revised Statutes, Relating to the Examination and Commitment of Persons to Insane Hospitals .....	91
121 An Act to Amend Section Seventeen of Chapter Twelve of the Revised Statutes, Providing for Notice by Registers of Deeds to Municipal Officers of Real Estate Transfers.....	92
122 An Act in Addition to Section Thirteen of Chapter Fourteen of the Revised Statutes Relating to Adoptions in the Penobscot Tribe of Indians.....	93
123 An Act to Amend Section Eighty-one of Chapter Four of the Revised Statutes, Relating to Assistance to Towns in Establishing Free Public Libraries .....	93
124 An Act to Amend Section Seventy-five of Chapter Four of the Revised Statutes Relating to Free Public Libraries .....	94
125 An Act to Amend Section Eighty-two of Chapter Four of the Revised Statutes, Relating to Instruction of Librarians.....	94
126 An Act to Amend Section One of Chapter One Hundred and Thirty of the Revised Statutes, Relating to Offenses against the Public Health, Safety and Policy .....	95
127 An Act Amending Section Ten of Chapter One Hundred and Twenty-nine of the Revised Statutes Relating to Malicious Mischiefs and Trespasses	96
128 An Act to Prevent Injuries to Property used for Public Purposes, and Amending Section Four of Chapter One Hundred and Twenty-nine of the Revised Statutes .....	96

CHAP.	PAGE
129 An Act to Establish a Legislative Reference Bureau in the State Library....	97
130 An Act Amending Sections Three and Twenty of Chapter One Hundred Forty-four, Section Twenty-nine of Chapter One Hundred Seventeen, Section Twenty-five of Chapter One Hundred Thirty-seven, of the Revised Statutes, and making Additional Provisions Pertaining to Inmates of State Juvenile Institutions, and Increasing the Salary of the Superintendent of the State School for Boys .....	98
131 An Act Amending Section Fifty of Chapter Fifty-five of the Revised Statutes, Authorizing Complaint by a Utility against Itself, and Empowering the Public Utilities Commission to Order Refund.....	101
132 An Act to Make Uniform the Law of Bills of Lading.....	102
133 An Act to Amend Chapter Sixty-seven, Section Twenty-six of Chapter Seventy, Section Forty-four of Chapter Sixty-eight, Sections Nine and Ten of Chapter Seventy-two, Section Ninety-five of Chapter Eighty-six, and Sections Fourteen, Fifteen, Twenty and Twenty-one of Chapter Ninety-two of the Revised Statutes; and to Repeal Sections Forty-two and Forty-three of Chapter Sixty-eight, and Sections Sixteen and Twenty-one of Chapter Ninety-two of the Revised Statutes, Relating to Notice of Appointment of Executors, Administrators, Guardians of Adults, and Conservators; and to Limitation of Actions against the Estates of Deceased Persons .....	114
134 An Act to Amend Section Thirty of Chapter Sixteen of the Revised Statutes, and Providing for Kindergartens as Part of the Common School Course	118
135 An Act to Amend Sections Twenty-eight and Twenty-nine of Chapter Fifty-five of the Revised Statutes, Relating to Notice by Public Utilities of Changes in Rates .....	119
136 An Act to Amend Section Eighty-two of Chapter One Hundred Fifteen of the Revised Statutes, Relating to Support of Debtors in Jail.....	120
137 An Act to Provide for the Registration of Teachers.....	120
138 An Act to Amend Section Sixty, Chapter Eight of the Revised Statutes relating to the Maine Forestry District.....	121
139 An Act to Amend Section Six of Chapter Forty-two of the Revised Statutes, Concerning Intelligence Offices .....	124
140 An Act to Amend Section Thirty-one of Chapter Sixty-eight of the Revised Statutes, Appropriating Moneys in the State Treasury Credited to Public Administrators' Fund .....	125
141 An Act to Provide for the Improvement and Certification of Seed Produced in the State .....	125
142 An Act to Amend Sections One, Eight and Twelve of Chapter One Hundred Twenty-six of the Public Laws of Eighteen Hundred Forty-four, Relating to the Preservation of Salmon, Shad and Alewives in Georges River and Tributary Streams .....	125
143 An Act to Make Uniform the Law of Warehouse Receipts .....	127
144 An Act Additional to Revised Statutes, Chapter Fifty-one, Relating to Corporations .....	139
145 An Act to Require Automatic Signals and the Removal of Obstructions at Certain Grade Crossings not Protected by Gates or Flagmen.....	143
146 An Act to Amend Section Twenty-one of Chapter Forty-nine of the Revised Statutes, Relating to Regulations for Employment of Minors between Fourteen and Sixteen Years Old.....	146
147 An Act to Amend Section Twenty-seven of Chapter Fifty-two of the Revised Statutes and to Permit Savings Banks to Invest in Certain Electric Railroad Bonds .....	147

## VIII

## CONTENTS.

CHAP.	PAGE
148 An Act to Amend Sections Eighteen to Twenty-three Inclusive, of Chapter Eighteen, and Section Fifty-three of Chapter One Hundred Seventeen, of the Revised Statutes, all Relating to the Board of Registration of Nurses .....	148
149 An Act to Define Certain Terms Used in Section Fifty-eight of Chapter Sixty-four, of the Revised Statutes, in Relation to Licensing Children's Homes and Maternity Hospitals.....	153
150 An Act to Amend Section One of Chapter Thirty-four of the Revised Statutes, Providing for the Appointment of a Deputy Commissioner of Agriculture .....	154
151 An Act to Enable the Chief Engineer of the State Highway Commission to Convey a Certain Lot or Parcel of Land Owned by the State of Maine to the European & North American Railroad .....	154
152 An Act to Amend Section Thirty-eight of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Salary of the Judge of Probate of York County .....	155
153 An Act to Amend the Second Paragraph of Section Forty-five, of Chapter One Hundred Seventeen of the Revised Statutes Increasing the Amount of Clerk Hire in the Androscoggin County Registry of Deeds.....	156
154 An Act to Provide State Aid for the Construction of Highways Extending Continuously Through Three or More Towns.....	156
155 An Act to Amend Sections One, Two and Four of Chapter Twenty-three of the Revised Statutes, Relating to Nuisances .....	158
156 An Act to Repeal Section Forty-two of Chapter One Hundred Twenty-seven and to Amend Section Twenty-seven of Chapter One Hundred Thirty-six and Section One of Chapter One Hundred Thirty-seven of the Revised Statutes, Relating to Imposing Sentences.....	159
157 An Act to Amend Sections Seventy and Seventy-one of Chapter Fifty-seven of the Revised Statutes, Relating to Disorderly Conduct on Railroad, Steamboat or Ferry Property, and Authorizing Employees to Arrest such Offenders .....	161
158 An Act to Amend Section Ten of Chapter One Hundred Two of the Revised Statutes, Relating to the Discharge from Imprisonment in Bastardy Cases .....	161
159 An Act Prohibiting the Sale of Diseased or Disabled Horses.....	162
160 An Act to Amend Chapter Thirty-five of the Revised Statutes, Relating to the Live Stock Sanitary Commissioner .....	162
161 An Act to Amend Paragraph One of Section Four of Chapter Seventy-two of the Revised Statutes, Relating to the Appointment of Guardians.....	164
162 An Act in Addition to Sections Forty-four, Forty-five, Forty-six and Forty-seven of Chapter Eighty-six of the Revised Statutes, Relating to Attachment of Property Mortgaged or Pledged.....	164
163 An Act to Amend Section One of Chapter Eleven of the Revised Statutes, Relating to the Collection of Taxes and the Commitment of Poll Taxes in Incorporated Places .....	165
164 An Act to Correct Typographical Errors in Section One Hundred and Sixteen of Chapter Seven of the Revised Statutes, Relating to Illegal Voting .....	165
165 An Act to Amend Section Seventy-six of Chapter Four, of the Revised Statutes, Relating to any Town Raising Money to Secure Free Use of Library in Adjoining Town .....	166
166 An Act to Amend Section Three Chapter Twenty-one of the Revised Statutes, Relating to the Care of Ancient Burying Grounds .....	166
167 An Act Providing for Monthly Payment of Salaries of County Officials....	167



CHAP.	PAGE
168 An Act to Amend Section Four of Chapter Seventy-six of the Revised Statutes, Relating to Notices upon Petitions for Sale of Real Estate.....	167
169 An Act to Provide for Discharge of Record Attachments of Real Estate which have Lapsed .....	168
170 An Act to Amend Section Five of Chapter One Hundred Seventeen of the Revised Statutes, Relating to the Expenses of the Justices of the Supreme Judicial Court .....	169
171 An Act to Amend Section Thirty-six of Chapter Twenty-six of the Revised Statutes, Fixing a Fee for Registering Motor Cars in Neutral Automobile Zones .....	169
172 An Act to Provide for the Expenses of the Legislature, for Salaries Fixed by Law, for Departmental Expenses of the State Government and for the Maintenance of the Several State Institutions During the Period of the Biennial Sessions of the Legislature.....	170
173 An Act to Amend Section Forty-two of Chapter One Hundred Seventeen of the Revised Statutes, Relating to Expenses of County Commissioners..	171
174 An Act to Amend Section Seventy-nine of Chapter Fifty-seven of the Revised Statutes, Relating to Speed of Trains Over and Obstruction of Grade Crossings .....	171
175 An Act Amending Section Fourteen of Chapter Sixty-five of the Revised Statutes, Relating to Custody of Minor Children of Divorced Parents....	172
176 An Act to Amend Section Fifty-eight of Chapter Sixty-four, of the Revised Statutes, Relative to the Licensing of Children's Homes and Maternity Hospitals .....	172
177 An Act to Prevent Discrimination against Soldiers and Sailors in the Service of the United States or State of Maine, on Account of their Uniform....	173
178 An Act Providing for the Control of the White Pine Blister Rust and Other Fungous and Insect Pests.....	173
179 An Act to Amend Section Twenty of Chapter One Hundred Seventeen of the Revised Statutes, and Increasing the Salary of the Chief Clerk in the Office of State Superintendent of Public Schools.....	175
180 An Act to Amend Section Twenty-eight of Chapter Forty-five of the Revised Statutes, Relating to Violations of the Lobster Law.....	176
181 An Act to Amend Section Eight of Chapter Sixty-five of the Revised Statutes Relative to Time for Hearing of Libels for Divorce.....	176
182 An Act Amending Section Seventeen of Chapter Forty-five of the Revised Statutes, Relative to Granting Lobster Licenses.....	177
183 An Act to Amend Section Thirty-two of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Salary of the Clerk of the Board of State Assessors .....	178
184 An Act Relating to the Place of Payment in this State of Dividends Declared by Foreign Mutual Fire Insurance Companies .....	178
185 An Act in Relation to the Duties of County Attorneys.....	178
186 An Act to Accept the Benefits of an Act of Congress to Provide for the Promotion of Vocational Education .....	179
187 An Act Authorizing the Issue of Bonds and Notes to the Amount of One Million Dollars to Defray Expenses Incurred to Suppress Insurrection, Repel Invasion or for Purposes of War and Making Appropriations therefor .....	180
188 An Act to Amend Sections Fifty-five, Fifty-six, Fifty-seven, Fifty-eight, Fifty-nine, Sixty-one and Sixty-two of Chapter Sixteen of the Revised Statutes, to Provide for the Formation of Unions for the Employment of Superintendents of Schools .....	181

CHAP.	PAGE
189 An Act to Amend Section Seventeen of Chapter Eight of the Revised Statutes, Relating to the Sale of Timber on Reserved Lands in all Townships or Tracts .....	187
190 An Act to Amend Sections Twelve and Thirteen of Chapter Thirty-seven of the Revised Statutes Relative to the Inspection of Milk, and to Provide a Penalty for Interference with Inspectors Appointed by Cities and Towns in the Performance of their Duties.....	187
191 An Act to Amend Section Nineteen of Chapter Eighty-six of the Revised Statutes, Relating to Service of Writs on Corporations.....	188
192 An Act to Amend Sections Four, Five and Seven of Chapter Ninety-five of the Revised Statutes, in Relation to Mortgages of Real Estate.....	189
193 An Act to Amend Chapter Seventy-six of the Revised Statutes, Relating to Sales of Real Estate by License of Court .....	192
194 An Act to Amend Sections Thirty-seven and Forty-five of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Salaries of County Attorney and Assistant County Attorney for Cumberland County and to Provide for Clerk Hire in said County Attorney's Office.....	193
195 An Act to Create a Board of Prison Commissioners.....	194
196 An Act to Amend Section Sixteen of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Salary of State Treasurer.....	196
197 An Act to Create a State Department of Health.....	196
198 An Act to Amend Section Twenty-four of Chapter Fifty-eight of the Revised Statutes, Relating to Unclaimed Baggage and Merchandise Transported by Street Railways.....	199
199 An Act to Amend Section Seventeen of Chapter One Hundred and Seventeen of the Revised Statutes, Increasing the Salary of the State Auditor..	199
200 An Act to Amend Section Thirteen of Chapter One Hundred and Thirty-two of the Revised Statutes, Providing for an Increase in the Number of Licensed Detectives .....	200
201 An Act to Amend Section One of Chapter Thirty-four of the Revised Statutes, Relating to the Term of Office of the Commissioner of Agriculture .....	200
202 An Act to Amend Section Nine of Chapter Twenty-nine of the Revised Statutes, Prohibiting the Treatment of Army and Navy Veterans as Paupers..	201
203 An Act to Amend Section Ten of Chapter One Hundred Thirty-seven of the Revised Statutes, Relating to the Appointment of Probation Officers....	202
204 An Act Authorizing the Treasurer of State to Negotiate a Temporary Loan	203
205 An Act to Provide for the Establishment of Polling Districts in Towns....	203
206 An Act to Amend Section Eighty-three of Chapter Fifty-three of the Revised Statutes, Relating to Term of Office of Insurance Commissioner.....	204
207 An Act to Amend Section Twenty-four of Chapter Forty-eight of the Revised Statutes, Relating to Testing Commodities Offered for Sale, as to Weight and Measure .....	205
208 An Act to Amend Section One Hundred of Chapter Fifty-two of the Revised Statutes, and Increasing the Authorized Amount of Accumulated Capital of Loan and Building Associations.....	206
209 An Act Additional to Chapter One Hundred Twenty-seven of the Revised Statutes Relating to the Enforcement of the Laws against the Sale of Intoxicating Liquors .....	207
210 An Act to Amend Section Thirty-three of Chapter Nine of the Revised Statutes, Increasing the Taxation of Owners of Parlor Cars.....	208

CHAP.	PAGE
211 An Act to Amend Section Fifty-one of Chapter Eighty-two of the Revised Statutes, Relating to Trial List of Supreme Judicial Court for Aroostook County .....	209
212 An Act to Amend Section Seventy-eight of Chapter Four of the Revised Statutes Relative to State Stipend for Public Libraries.....	209
213 An Act to Amend Sections Sixteen, Thirty-eight, Thirty-nine and Forty of Chapter Twenty-six of the Revised Statutes, Relating to the Operation of Motor Vehicles .....	210
214 An Act to Amend Section Seven of Chapter Thirty-eight of the Revised Statutes, Relating to Licenses of Agents and Dealers in Nursery Stock...	213
215 An Act to Provide for the Payment of a Bounty on Bears Killed in the State	214
216 An Act to Amend Section Ten of Chapter One Hundred and Seventeen of the Revised Statutes Relating to Stenographers of the Supreme Judicial Court .....	215
217 An Act to Prohibit the Carrying of Dangerous or Deadly Weapons without a License .....	216
218 An Act to Provide for the Establishment of a Bureau of Markets.....	216
219 An Act to Revise, Collate, Arrange and Simplify the Inland Fish and Game Laws of the State, Both General and Public and Private and Special, and the Rules and Regulations of the Commissioners of Inland Fisheries and Game Now in Force .....	217
220 An Act to Amend Section Nineteen of Chapter One Hundred Seventeen of the Revised Statutes, Relating to the Banking Department.....	252
221 An Act to Amend Section Sixty-five of Chapter One Hundred Twenty-six of the Revised Statutes, Relating to the Appointment of Cruelty Officers....	253
222 An Act to Provide for Mothers with Dependent Children.....	253
223 An Act to Amend Section Forty-five of Chapter One Hundred and Seventeen of the Revised Statutes, Increasing the Amounts to be Paid for Clerk Hire in the County Offices of Sagadahoc County.....	257
224 An Act Relating to Insurance Rates and Providing for Approval of the Same by Insurance Commissioner before Promulgation and Use.....	259
225 An Act to Prevent Public Discrimination by Reason of Religious Creed at Places of Public Accommodation, Resort or Amusement.....	259
226 An Act to Amend Sections Eighty-five and Eighty-seven of Chapter Two of the Revised Statutes, Relating to the State Contingent Fund.....	260
227 An Act to Amend Section Fifty-one of Chapter Eighty-two of the Revised Statutes Relating to Trial Terms of the Supreme Judicial Court of Hancock County .....	261
228 An Act to Amend Section One Hundred and Eight of Chapter Sixteen of the Revised Statutes, Relating to Teaching in the Public Schools the Principles of Kindness toward Birds and Animals.....	263
229 An Act to Amend Section Eighty-five of Chapter Sixteen of the Revised Statutes, Increasing the Maximum Annual Tuition in Secondary Schools of the State .....	263
230 An Act to Provide Compensation for Injuries Received by State Employees	264
231 An Act to Repeal Section Twelve of Chapter One Hundred and Twenty-eight of the Revised Statutes Relating to Intention to Defraud in Lumbering Operations .....	265
232 An Act to Amend Section Twenty of Chapter One Hundred Forty-four of the Revised Statutes, Relating to the Commitment of Girls to the State School for Girls .....	265

CHAP.	PAGE
233	An Act to Amend Section Eighteen of Chapter Forty-five of the Revised Statutes, Relating to Regulation of Lobster Industry ..... 266
234	An Act to Amend Section Twenty-three of Chapter Twenty-six of the Revised Statutes, Relating to the Registration of Motor Vehicles..... 267
235	An Act to Amend Sections Ten, Seventeen and Eighteen of Chapter Thirty-five of the Revised Statutes, Relating to the Importation of Horses and Cattle and also the Testing of Pure Blooded Cattle to be Sold for Breeding Purposes ..... 268
236	An Act to Amend Paragraph Ten of Section Forty-five of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Clerk Hire in the Oxford County Registry of Probate ..... 270
237	An Act to Amend Section Twenty of Chapter Five of the Revised Statutes Relating to the Registration of Voters ..... 270
238	An Act to Amend Section Thirteen of Chapter Seven of the Revised Statutes, Relating to Duties of Election Clerks ..... 271
239	An Act to Amend Section Forty-five of Chapter One Hundred Seventeen of the Revised Statutes, Providing for Clerk Hire in the Office of the County Attorney of Penobscot County..... 273
240	An Act to Amend Sections Ninety-two, Ninety-three and Ninety-four, of Chapter Two, of the Revised Statutes, Relating to the Estimated Income and Expenditures of the State Departments and Institutions..... 273
241	An Act to Amend Section Six, Paragraph Four, of Chapter Fifty of the Revised Statutes, Relating to Compensation for Personal Injuries for Employees ..... 275
242	An Act to Amend Section Forty-five of Chapter One Hundred and Seventeen of the Revised Statutes, increasing the amount to be paid for Clerk Hire in the Office of the Recorder of Municipal Court of the City of Portland ..... 275
243	An Act to Amend Section Sixteen of Chapter Eighty-four of the Revised Statutes, Relating to the Tenure of Office of County Attorney..... 276
244	An Act to Create the Office of Commissioner of Inland Fisheries and Game and to Abolish the Office of Commissioners of Inland Fisheries and Game ..... 276
245	An Act to Amend Section Thirty-eight of Chapter Seventy-two of the Revised Statutes, Relating to Legal Effect of Adoption of Child..... 277
246	An Act to Amend Section Twenty-nine of Chapter One Hundred Thirty-six of the Revised Statutes, Relating to Copy of Proceedings in Murder Cases ..... 278
247	An Act to Amend Section One Hundred Forty-three of Chapter Sixteen of the Revised Statutes Relating to the Admission of Students to State Normal Schools ..... 279
248	An Act to Designate Truant Officers as Attendance Officers..... 279
249	An Act to Amend Section Eleven of Chapter One Hundred Seventeen of the Revised Statutes, Relating to the Salaries of the Stenographers of the Superior Courts ..... 280
250	An Act to Amend Section Thirty-six of Chapter One Hundred and Seventeen of the Revised Statutes, Relating to Manner of Payment of Salaries ..... 280
251	An Act to Amend Section Sixty of Chapter Four of the Revised Statutes, Relating to the Creation of a Sinking Fund by Cities and Towns..... 281
252	An Act to Amend Sections One, Two and Three of Chapter One Hundred Forty-one of the Revised Statutes Better Defining the Duties and Increasing the Number of Medical Examiners ..... 281
253	An Act to Insure the Collection of Taxes in Unorganized Townships..... 283

CHAP.	PAGE
254 An Act to Regulate the Operation of Motor Vehicles for the Carriage of Passengers and Freight .....	284
255 An Act to Amend Section Thirty-six of Chapter Forty-five of the Revised Statutes, Relating to the Purchase, Marking and Liberating of Seed Lobsters .....	285
256 An Act Relating to the Operation of Motor Vehicles.....	286
257 An Act to Make Uniform the Law of Negotiable Instruments.....	286
258 An Act to Amend Chapter Twenty-five of the Revised Statutes, Relating to State and State Aid Highways, and to Provide a Mill Tax Fund for Their Construction .....	312
259 An Act to Revise the Military Law.....	318
260 An Act to Establish a Superior Court in the County of Androscoggin.....	377
261 An Act to Provide for the Division and Management of the School Fund from the Sale of Timber and Grass, and from Trespasses on Reserved Lands, and Amending Sections Twenty and Twenty-one of Chapter Eight of the Revised Statutes .....	379
262 An Act Authorizing Municipal Officers to Appoint Examiners of Steam Engineers and Firemen .....	381
263 An Act Amending Section Fourteen of Chapter Forty-one of the Revised Statutes, Increasing the License Fee for Itinerant Vendors.....	383
264 An Act to Amend Section Five of Chapter One Hundred Forty-six of the Revised Statutes, Relative to Admittance and Charges for Patients at State Sanatoriums .....	384
265 An Act to Provide for the Transfer to the Reformatory for Women of Women Serving Sentences in the State Prison, Any County Jail or House of Correction .....	385
266 An Act to Amend Sections One and Twenty-two of Chapter Sixty-nine of the Revised Statutes, Relating to Succession Taxes .....	386
267 An Act to Amend Section Twenty-three of Chapter One Hundred and Fifteen of the Revised Statutes, Granting Jurisdiction of Poor Debtor Disclosure Matters to Municipal Courts .....	387
268 An Act Allowing Dentists to Employ Women Assistants Who Shall be Known as Dental Hygienists .....	388
269 An Act Relating to Qualification of Judges of Municipal and Police Courts..	389
270 An Act to Amend Section Fifty-five of Chapter Thirty of the Revised Statutes, Relating to the Amount to be Expended by the Insurance Commissioner in Investigating Fires .....	389
271 An Act to Provide for the Recording of Discharges of Attachments by Registers of Deeds .....	390
272 An Act to Require Certain Vehicles to Carry Lights at Night and to Control the Glare of Head Lights .....	390
273 An Act in Relation to Suits in Court, the Parties whereto being in the Military Service of the United States, or of this State.....	391
274 An Act to Provide for the Appointment of Special Deputy Sheriffs.....	392
275 An Act Authorizing the Taking of Land for Forts, and Other Purposes....	393
276 An Act to Provide for the Support of Families of Volunteers.....	394
277 An Act to Provide State Pay for Soldiers and Sailors in the Volunteer Service of the United States .....	396
278 An Act to Provide for the Organization of the Maine Home Guard, During the Continuance of the War with Germany.....	397

## XIV

## CONTENTS.

CHAP.		PAGE
279	An Act to Amend Section Forty-five of Chapter One Hundred and Seventeen of the Revised Statutes, and Relating to Clerk Hire in Certain Aroostook County Offices and Certain Expenses of the Aroostook Clerk of Courts .....	398
280	An Act to Amend Section Seventy-six of Chapter Eighty-two of the Revised Statutes, of Maine, Relative to Price of Maine Reports.....	399
281	An Act to Amend Section Forty and Forty-two of Chapter Forty-five of the Revised Statutes, Relating to Inspection and Transportaton of Lobsters .....	399
282	An Act to Amend Section Ten of Chapter Ninety-nine of the Revised Statutes, Relative to Leases .....	401
283	An Act to Amend Section Seventy-two of Chapter Eighty-two of the Revised Statutes Increasing the Annual Appropriation for the Attorney General's Department .....	402
284	An Act to Provide for the Better Defence of the State and for the Discharge of its Duties Towards the National Defence .....	402
285	An Act to Amend Paragraph Six, Section Six, Chapter Ten, and Section Sixteen, Chapter Nine, of the Revised Statutes, Relating to the Exemption of Live Stock from Taxation .....	405
286	An Act Relating to Bonds in the Probate Court, Given by Executors and Administrators to Obtain License to Sell Real Estate, Amending Chapter Seventy-six of the Revised Statutes .....	406
287	An Act in Addition to Chapter Twenty-six, of the Revised Statutes, Relating to the Registration of Motor Vehicles .....	406
288	An Act Regulating the Keeping and Sale of Dynamite, Powder and Other Explosives .....	407
289	An Act to Amend Section Two of Chapter Five of the Revised Statutes Relating to Qualifications of Voters .....	408
290	An Act to Amend Section Thirty-four of Chapter Fifty-five of the Revised Statutes, Relating to Free Transportation of Firemen and Policemen by Public Utilities .....	408
291	An Act to Amend Chapter One Hundred and Twenty-seven of the Revised Statutes to make Plain the Penalties Imposed under Certain Sections thereof .....	409
292	An Act to Amend Section Thirty-eight of Chapter One Hundred and Seventeen of the Revised Statutes, Increasing the Salary of the Judge of Probate for the County of Androscoggin .....	416
293	An Act to Create a Commission of Sea and Shore Fisheries.....	416
294	An Act to Provide for the Seizure and Forfeiture of Vehicles Carrying Intoxicating Liquor Intended for Illegal Sale .....	420
295	An Act for the Enforcement of Liens on Watches, Clocks and Jewelry for Labor and Materials Furnished in Making and Repairing same.....	420
296	An Act to Amend Section Two of Chapter Seven of the Revised Statutes of Nineteen Hundred Sixteen Relating to the Printing of Ballots.....	421
297	An Act to Amend Sections Forty-nine, Fifty, Fifty-one, Fifty-two, Fifty-three, Fifty-four, Fifty-six and Fifty-seven of Chapter Sixty-four of the Revised Statutes, Relating to the Protection of Neglected Children.....	422
298	An Act to License and Regulate the Business of Making Loans in Sums of Three Hundred Dollars or Less, at a Greater Rate of Interest than Twelve Per Centum Per Annum, and Regulating the Assignment of Wages or Salaries Given as Security therefor.....	428

# CONTENTS.

XV

CHAP.		PAGE
299	An Act to Amend Chapter One Hundred and Twenty-one of the Public Laws of Nineteen Hundred and Seventeen Entitled, "An Act to Amend Section Seventeen of Chapter Twelve of the Revised Statutes, Providing for Notice by Registers of Deeds to Municipal Officers of Real Estate Transfers" .....	432
300	An Act to Amend Certain Sections of Chapter One Hundred Forty-eight, of the Revised Statutes, Relating to Pensions for the Blind.....	433
301	An Act Additional to Chapter Nineteen of the Revised Statutes, Relating to Care and Treatment of Certain Infectious Diseases.....	435
302	An Act to Prohibit the Selling or Giving Away of Air Rifles to Children Under Fourteen Years of Age.....	437
303	An Act to Establish the Farm Lands Loan Commissioners of Maine and to Authorize the Investment of Certain Moneys Now on Deposit in the State Treasury Known as the Reserved Land Fund.....	437
304	An Act to Amend Chapter Three Hundred Nineteen of the Public Laws of Nineteen Hundred and Fifteen Entitled "An Act to Provide for State and County Aid in the Construction of Highway Bridges".....	441
305	An Act to Permit Savings Banks to Invest in Certain Railroad Bonds.....	444
306	An Act to Amend Section Sixteen of Chapter Seven of the Revised Statutes, Relating to Manner of Voting .....	446

# TABLE OF CONTENTS—PRIVATE LAWS

## SESSION OF 1917

CHAP.	PAGE
1 An Act Amending the Charter of the United Electric Securities Company..	451
2 An Act to Incorporate the Old Folks Home in Bath.....	452
3 An Act to Amend the Charter of the Fryeburg Water Co. by Granting Certain Additional Powers and Ratifying and Confirming Certain Acts of said Corporation .....	453
4 An Act to Enable Forest Hill Cemetery Association to Convey its Real Estate and Personal Property to the Inhabitants of Bridgton as Body Corporate and to Dissolve said Association.....	454
5 An Act to Make Valid the Organization and Records of the Fourth Congregational (Abyssinian) Church of Portland, and to Authorize said Corporation to Convey Certain Real Estate.....	454
6 An Act to Authorize the City of Portland to Pension Dora B. McIntosh..	456
7 An Act to Legalize and Make Valid the Proceedings of the Annual School Meeting of the City of Augusta.....	456
8 An Act Authorizing the Songo River Line, Inc. to Construct and Maintain Wharves at East Sebago and Long Beach, in the Town of Sebago and Cumberland County .....	456
9 An Act to Amend Section One of Chapter Four of the Private and Special Laws of Nineteen Hundred and Thirteen, Entitled "An Act to Regulate the Taking of Smelts in the Waters of Egypt Bay, Franklin Bay, Taunton Bay and River in the Towns of Hancock, Franklin and Sullivan in Hancock County .....	457
10 An Act to Legalize and Confirm the Incorporation and Doings of the Congregational Church Society of Litchfield, Maine .....	458
11 An Act to Extend the Time in Which the Maine Title Guarantee Company is Authorized to Commence Business.....	458
12 An Act to Extend and Amend the Charter of the Fairfield and Skowhegan Railway Company .....	458
13 An Act to Amend the Charter of the Kennebec Log Driving Company as amended by Chapter Four Hundred and Two of the Private and Special Laws of Eighteen Hundred and Eighty-five.....	459
14 An Act to Amend the Charter of the Kennebec Log Driving Company as Amended by Chapter One Hundred and Seventy-one of the Private and Special Laws of Eighteen Hundred and Seventy-nine.....	461
15 An Act to Extend the Charter of the Quebec Extension Railway Company	462
16 An Act to Amend Chapter One Hundred and Ninety-five of the Private and Special Laws of Eighteen Hundred and Eighty-seven, Entitled "An Act to Amend an Act Incorporating the City of Waterville".....	462
17 An Act to Create the Van Buren Sewerage District.....	463
18 An Act to Extend the Charter of the Salisbury Cove Water Company.....	466
19 An Act to Authorize the York Shore Water Company to Acquire and Own Certain Local Securities .....	467
20 An Act Granting Charles H. Scott the Right to Maintain a Ferry across Eggemoggin Reach in Hancock County.....	467
21 An Act to Confirm and Make Valid the Proceedings of the Special Town Meeting of the Inhabitants of the Town of Baileyville held April Seventeenth, Nineteen Hundred and Sixteen .....	468



CHAP.	PAGE
22 An Act to Authorize the Town of Boothbay Harbor to Construct a Bridge across the Harbor of Said Town.....	468
23 An Act to Extend the Charter of the Lincoln County Street Railway.....	469
24 An Act to Change the Name of McGurdy or Crowell Pond to Lake Waukesha .....	469
25 An Act to Authorize the Erection of a Dam across the East Branch of Spruce Creek in the Town of Kittery .....	469
26 An Act to Amend Chapter Three Hundred and Eighty-Seven of the Private and Special Laws of Nineteen Hundred and Seven, Relating to the Penobscot East Branch Log Driving Company .....	470
27 An Act Changing the Name of McCurdy Pond to Hilton Lake.....	471
28 An Act to Amend Chapter Three Hundred Ninety-six of Private and Special Laws of Nineteen Hundred and Nine, Authorizing the Construction of a Bridge across Ogunquit River, in the Town of Wells.....	471
29 An Act Relating to the Digging of Clams within the Limits of the Towns of Newcastle and Damariscotta .....	472
30 An Act to Incorporate the Cumberland Bar Association.....	472
31 An Act to Amend Chapter Two Hundred and Thirty-nine of the Private and Special Laws of Nineteen Hundred and Thirteen Increasing the Authority of the Recorder of the Lincoln Municipal Court.....	474
32 An Act to Amend Chapter One Hundred and Thirty-two of the Private and Special Laws of Nineteen Hundred and Thirteen, Relating to the Ferry between Indian Island and the City of Old Town.....	475
33 An Act Additional to and Amendatory of Chapter Three Hundred Forty-seven of the Private and Special Laws of Nineteen Hundred One, Entitled "An Act to Authorize the Great Northern Paper Company to Increase its Capital Stock".....	476
34 An Act to Amend Chapter Sixty-seven of the Private and Special Laws of Nineteen Hundred and Fifteen, Relating to the Charter of the Rockland, Thomaston and Camden Street Railway.....	477
35 An Act to Extend the Powers of the Milo Electric Light and Power Company .....	477
36 An Act to Amend Section One, Chapter Thirty-six of the Private and Special Laws of Nineteen Hundred and Thirteen, Entitled "An Act for the Better Protection of Alewives in Patten's Bay in the Town of Surry, in Hancock County".....	478
37 An Act to Provide a Police Commission for the City of Lewiston and to Promote the Efficiency of the Police Department thereof.....	479
38 An Act to Repeal Chapter Two Hundred Seventy-one of the Private and Special Laws of Nineteen Hundred and Eleven, Relating to Ways and Bridges in Plantation Number 14, Washington County.....	483
39 An Act to Enlarge the Jurisdiction of the Municipal Court of Dexter.....	484
40 An Act to Extend the Charter of the North Bridgton Village Corporation..	484
41 An Act to Enable the Inhabitants of the Town of Fort Fairfield to Assume All the Rights, Privileges, Duties, Contracts and Obligations of Fort Fairfield Village Corporation in Said Fort Fairfield .....	484
42 An Act to Extend the Charter of the Rumford Falls and Bethel Street Railway .....	485
43 An Act to Ratify the Change of Name and Amount of Capital Stock of Mercantile Trust Company and to Amend its Charter.....	486

## XVIII

## CONTENTS.

CHAP.	PAGE
44 An Act to Legalize and Make Valid the Doings of the Municipal Officers of Vinalhaven in Laying Out a Way over the Tide Waters across Indian Creek in said Vinalhaven and Authorizing the Construction of a Suitable Bridge across the Same.....	488
45 An Act Authorizing the Sale of Property and Assets of the Dead River North Branch Log Driving Company, and Providing for the Dissolution of said Corporation .....	489
46 An Act Authorizing the Sale of the Property and Assets of the Dead River Log Driving Company, and Providing for the Dissolution of said Corporation .....	489
47 An Act to Ratify and Confirm the Consolidation of the Knox Gas and Electric Company with the Rockland, Thomaston and Camden Street Railway .....	490
48 An Act to Amend Chapter Four Hundred Twenty-four of the Private and Special Laws of Nineteen Hundred Seven, and Changing the Time of the Annual Meeting of Kittery Water District.....	490
49 An Act Confirming and Ratifying the Organization of the Penobscot Law Library Association .....	491
50 An Act to Extend the Provisions of Chapter Two Hundred and Fourteen of the Private and Special Laws of Nineteen Hundred Fifteen, Entitled "An Act to Authorize the Town of Lisbon to Supply Gas and Electricity.....	492
51 An Act to Ratify and Confirm the Incorporation of the Pine Grove Cemetery Association of Brownfield .....	492
52 An Act to Extend the Charter of the Rockland, South Thomaston and St. George Railway .....	492
53 An Act Additional to Chapter Eighty-two of the Private and Special Laws of Nineteen Hundred Three, Entitled "An Act to Incorporate the Gardiner Water District.".....	493
54 An Act to Amend Section One of Chapter One Hundred Seventy-seven of the Private and Special Laws of Eighteen Hundred Ninety-nine, Relating to the Taking of Smelts in the Saco River .....	493
55 An Act to Authorize the National Camps and Hotel Company to Construct and Maintain a Wharf in Sebago Lake.....	494
56 An Act to Amend Chapter Eight of the Private and Special Laws of Eighteen Hundred and Eighty-seven, and to Set Off Certain Real Estate of Theodore B. and Addie S. B. Weston from the Madison Village Corporation .....	494
57 An Act to Extend the Charter of the Androscoggin Valley Railroad Company .....	495
58 An Act to Authorize the Town of Richmond to Acquire the Property of Richmond Water Works, and to Construct and Maintain a System of Water Works within said Town.....	495
59 An Act to Extend the Charter of the Bluehill Water Company.....	497
60 An Act to Revive and Extend the Charter of the Penobscot Bay Water Company .....	498
61 An Act to Legalize the Doings of the Fairfield Center Cemetery Association .....	498
62 An Act to Change the Name of Marsh Island.....	498
63 An Act to Repeal Chapter Two Hundred Seventy-six of the Private and Special Laws of Nineteen Hundred Eleven, Relating to the Construction of Public Buildings on Public Grounds by the City of Portland.....	499
64 An Act to Extend the Charter of the Waldo Street Railway Company.....	499
65 An Act to Extend the Charter of the Lincoln Sewerage Company.....	499

# CONTENTS.

XIX

CHAP.	PAGE
66 An Act to Enable the Town of Presque Isle to Assume the Obligations of the Presque Isle Village Fire Department Arising out of a Contract with the Presque Isle Water Company.....	500
67 An Act to Authorize the County Commissioners of Hancock County to Complete the Records in the Registry of Deeds in said County.....	501
68 An Act to Annex Certain Islands in Casco Bay to the County of Sagadahoc and the Town of Phippsburg.....	501
69 An Act to Extend and Amend the Charter of the Eastern Maine Railroad..	502
70 An Act to Amend Chapter Four Hundred Sixteen of the Private and Special Laws of Nineteen Hundred and Seven, Relating to the Schools of the City of Augusta .....	502
71 An Act to Amend and Extend the Charter of the Bangor Boom Company..	504
72 An Act to Amend the Charter of the Shirley Dam Company.....	504
73 An Act to Extend the Charter of the Penobscot Valley Gas Company.....	505
74 An Act to Authorize Allen E. Hammond and his Associates to Erect Piers and Maintain Booms in the St. John River in Hamlin Plantation.....	506
75 An Act to Amend Section Twelve of Chapter One Hundred Eighty-one of the Private and Special Laws of Nineteen Hundred Eleven, Relating to Prisoners Escaping from the County Farm of Cumberland County.....	506
76 An Act to Authorize the Sandy River and Rangeley Lakes Railroad to Extend its Line from Carrabasset to Hurricane Falls and to Discontinue its Present Road from Carrabasset to Bigelow.....	507
77 An Act to Permit the Town of Southport to Obtain a Supply of Pure Water	507
78 An Act Providing a Legal Remedy for Damages by Flowage to Certain Members of the Penobscot Tribe of Indians Owning or Occupying Land on Old Town Indian Island Number One and Island Number Twelve in Penobscot River, and Authorizing Conveyance of Flowage Rights in said Land by said Indian Occupants to Bangor Power Company.....	508
79 An Act to Provide for the Registration and Licensing of Dogs on the Indian Reservation of the Penobscot Tribe of Indians.....	508
80 An Act to Enlarge the Authority of the Home for Aged Couples and Old Men in the City of Bath to take and Hold Property.....	509
81 An Act to Extend the Charter of the Farmington-Oakland Interurban Railway .....	510
82 An Act to Provide for Increasing the Capital Stock of the Franklin Farmers Cooperative Telephone Company.....	510
83 An Act to Change the Date of the Annual Meeting of the Farmington Village Corporation .....	510
84 An Act to Amend Chapter One Hundred Ninety-five of the Private and Special Laws of Nineteen Hundred and Thirteen Entitled "An Act to Authorize the Bangor Railway and Electric Company to Take Water from Chemo Lake and its Tributaries." .....	511
85 An Act to Authorize Ward and Bradbury, Incorporated, to Erect and Maintain Piers, Piles and Booms in the Saint John River.....	512
86 An Act to Authorize the County Commissioners of the County of Oxford to Remodel, Enlarge and Repair the Registry of Deeds Building of the Western Registry District of said County, or to Sell and Convey the Same and Purchase a New Site and Contract for the Erection of a New Building thereon, and to Issue Interest Bearing Obligations of said County therefor .....	512
87 An Act Authorizing the Town of Bucksport to Secure a Supply of Water..	513

CHAP.		PAGE
88	An Act to Provide for a County Law Library at Rumford in the County of Oxford .....	516
89	An Act Amending Chapter One Hundred Twenty-one of the Private and Special Laws of Nineteen Hundred Fifteen Relating to a Closed Time on Lobsters in Machias Bay and Adjacent Waters in the County of Washington .....	516
90	An Act Authorizing the American Realty Company to Erect and Maintain Piers and Booms in the St. John River, in St. John and St. Francis Plantations .....	517
91	An Act to Provide for Street Lights on Old Town Indian Island No. 1.....	518
92	An Act to Provide a Common on Old Town Indian Island No. 1.....	518
93	An Act to Extend the Rights, Powers and Privileges of the Guilford Manufacturing Company for the Erection and Maintenance of Piers and Booms in the Piscataquis River .....	519
94	An Act Additional to and Amendatory of Chapter Two Hundred Six of the Private and Special Laws of Nineteen Hundred Seven Relating to the West Branch Driving and Reservoir Dam Company.....	519
95	An Act to Amend Chapter Two Hundred and Fifteen of the Private and Special Laws of Eighteen Hundred and Sixty-seven, and Authorizing the City of Saco to Provide, Equip and Maintain a Hospital.....	520
96	An Act to Amend Section One of Chapter Eighty-two of the Private and Special Laws of Eighteen Hundred and Ninety-one, Entitled "An Act to Supply the City of Auburn with Pure Water.".....	522
97	An Act to Amend Chapter One Hundred Fifty of the Private and Special Laws of Nineteen Hundred and Three, Relative to Alumni Trustees of Colby College .....	522
98	An Act to Amend Section One of Chapter One Hundred Ninety-nine of the Private and Special Laws of Eighteen Hundred and Ninety-nine, Regulating Caucuses in the City of Biddeford .....	523
99	An Act to Repeal Chapter Three Hundred and Seventy-three of the Private and Special Laws of Eighteen Hundred and Thirty-three, Entitled "An Act to Regulate the Survey of Lumber in the County of Penobscot".....	523
100	An Act to Extend the Charter of the World Standard Insurance Company..	524
101	An Act to Extend the Charter of the Brewer Water Company.....	524
102	An Act to Amend Chapter Two Hundred Eighteen of the Private and Special Laws of Nineteen Hundred and Eleven, Entitled "An Act to Supply the Town of North Haven with Pure Water.".....	525
103	An Act to Extend the Charter of the Harmony Water Company.....	526
104	An Act to Incorporate The Dirigo Water Company.....	527
105	An Act Providing for the Licensing of Drivers of Automobiles for Hire in the Town of Eden.....	530
106	An Act to Repeal the Act Incorporating the Town of Perkins.....	531
107	An Act to Ratify the Doings of the Town of Winthrop in Reference to the Charles M. Bailey Public Library.....	531
108	An Act to Incorporate the Birch Point Village Corporation.....	532
109	An Act Respecting Removal of Filth from Docks in the City of Portland..	536
110	An Act to Incorporate the Odd Fellows' Home of Maine.....	536
111	An Act to Amend Section Two of Chapter Three Hundred Forty-six of the Private and Special Laws of Nineteen Hundred Five, Relating to the Powers and Duties of the Probation Officer of Cumberland County.....	538
112	An Act to Authorize the Erection and Maintenance of a Bridge across that Part of the Aroostook River known as the Back Channel.....	539

# CONTENTS.

XXI

CHAP.	PAGE
113 An Act to Make Legal and Valid the Annual Town Meeting of Clifton, in the County of Penobscot, held March Nineteenth, Nineteen Hundred Seventeen .....	539
114 An Act to Authorize the City of Augusta to Acquire Property.....	540
115 An Act to Regulate the Sale of Milk in Bottles or Jars, within the Town of Eden, Hancock County .....	540
116 An Act to Confirm and Make Clear Certain Powers of the Bangor Railway and Electric Company.....	540
117 An Act to Amend Chapter One Hundred Twenty-one of the Private and Special Laws of Nineteen Hundred Thirteen to Enable the Annual Meetings of Madison Water District to be held at any Time During the Month of July in Each Year .....	541
118 An Act Authorizing the Appointment of the United Baptist Convention of Maine as Trustee and to Excuse said Corporation from Furnishing Surety on its Official Bonds.....	541
119 An Act to Amend the Charter of Coburn Classical Institute.....	542
120 An Act Regulating the Appointment of Members of the Police Force of the City of Brewer .....	542
121 An Act to Ratify the Organization of Capital Park and Give Additional Powers to said Corporation.....	543
122 An Act to Repeal Chapter Four Hundred and Fifty-three of the Private and Special Laws of Eighteen Hundred and Sixty-eight, and all Acts Additional thereto and Amendatory thereof, Relating to a Ferry across the Penobscot River, between Orono and Bradley.....	544
123 An Act to Authorize the City of Lewiston to Issue its Bonds to the Amount of Two Hundred Thousand Dollars to Pay its Bonds now Outstanding and Maturing in the Year One Thousand Nine Hundred and Seventeen..	544
124 An Act to Incorporate the Mattakeunk Stream Dam and Improvement Company .....	544
125 An Act to Incorporate the Casco Title Guaranty Company.....	546
126 An Act to Amend Chapter Two Hundred Forty-four Entitled "An Act to Provide a Charter for the City of Gardiner," of the Private and Special Laws of Nineteen Hundred Thirteen.....	549
127 An Act to Extend the Charter of the Casco Bay Water Company.....	551
128 An Act to Extend the Charter of the Livermore and Augusta Railway Company .....	552
129 An Act to Amend the Charter of the York Beach Village Corporation.....	552
130 An Act to Grant Certain Powers to Acadia Landing.....	558
131 An Act Authorizing the Maintenance of a Bridge between Mill and Storehouse, by Worumbo Manufacturing Company, Lisbon Falls, Maine.....	558
132 An Act to Amend Section Twelve of Chapter Forty-three of the Private and Special Laws, Eighteen Hundred and Ninety-nine, Entitled "An Act to Establish the Rumford Falls Municipal Court.".....	559
133 An Act to Enable the Register of Deeds of Cumberland County to Procure Durable Copies of Plans Recorded in Cumberland County Registry.....	559
134 An Act to Change the Name of the Unitarian Church of Augusta, Me....	560
135 An Act to Establish the Mount Desert Bridge District, for the Purpose of Acquiring, Freeing and Reconstructing the Mount Desert Toll Bridge in the Town of Trenton in Hancock County.....	560
136 An Act to Repeal Chapter One Hundred One of the Private and Special Laws of Nineteen Hundred Eleven, Relating to the Phillips Village Corporation .....	562

CHAP.	PAGE
137 An Act to Incorporate the Musquacook Stream Dam and Improvement Company .....	562
138 An Act Authorizing the City of Augusta to Raise Money by Taxation to Assist Capital Park in Maintaining Grounds and Conveniences for Public Amusements .....	564
139 An Act Confirming the Official Acts of the Officers of the Plantation of Chapman, Acting as Officers of the Town of Chapman, and the Proceedings of the Special Town Meeting of the Inhabitants of the Town of Chapman held December Twenty-seventh, One Thousand Nine Hundred and Fifteen .....	566
140 An Act Authorizing the Municipal Officers of the Town of Machias to Close a Bridge over Tide-water.....	566
141 An Act to Provide a New Building for the Augusta State Hospital.....	566
142 An Act to Incorporate the Smyrna and Oakfield Water Company.....	567
143 An Act to Amend the Charter of the City of Augusta, Relative to Police..	570
144 An Act to Enable the Town of Princeton to Supply Electricity and Water..	572
145 An Act to Establish the Presque Isle Municipal Court.....	576
146 An Act to Amend Section One of Chapter One Hundred Forty-one of the Private and Special Laws of Eighteen Hundred Eighty-seven, Entitled "An Act to Amend an Act Creating the Phillips Village Corporation"..	580
147 An Act to Amend Chapter Four Hundred Twenty-two of the Private and Special Laws of Nineteen Hundred and Three, Increasing the Salary of Recorder of the Municipal Court of the City of Biddeford.....	582
148 An Act to Incorporate Maine Fire Insurance Company.....	582
149 An Act Authorizing the Bondholders or Purchasers of Sanford and Cape Porpoise Railway Company and The Atlantic Shore Railway to Reorganize said Corporations .....	585
150 An Act to Extend the Charter of the Lubec, East Machias and Machias Railway Company .....	585
151 An Act to Incorporate the Brassua Stream Dam and Improvement Company	586
152 An Act to Legalize and Confirm the Incorporation and Doings of the Congregational Parish of Weld, Maine, and to Authorize the Conveyance of its Real Estate .....	587
153 An Act to Authorize the Town of Caribou to Acquire the Property of the Caribou Water, Light and Power Company and to Construct and Maintain a System of Water Works.....	588
154 An Act Amendatory of and Additional to Chapter Forty-four of the Private and Special Laws of Eighteen Hundred Eighty-seven, Relating to the Skowhegan Water District.....	590
155 An Act to Authorize the Town of Yarmouth to Supply Gas and Electricity	591
156 An Act to Authorize the Construction of a Weir in the Tidewaters of Little Machias Bay in the Town of Cutler.....	592
157 An Act Authorizing the Biddeford and Saco Water Company to Increase its Capital Stock and to hold Securities in Other Corporations.....	593
158 An Act to Incorporate The Summer Harbor Water Company.....	593
159 An Act to Amend Section One of Chapter Two Hundred Eighty-five of the Private and Special Laws of Eighteen Hundred Fifty-four, Relating to the Erection of Wooden Buildings in the City of Portland.....	595
160 An Act to Amend Chapter Two Hundred and Thirteen of the Private and Special Laws of Nineteen Hundred Fifteen, Relative to the Granting of Licenses for Certain Businesses and Purposes by the Municipal Officers of the City of Portland.....	596

CHAP.	PAGE
161 An Act Relating to the Department of Electrical Appliances of the City of Portland .....	597
162 An Act to Provide for Card Index for Probate Registry of Aroostook County .....	598
163 An Act to Amend Chapter Four Hundred and Fifty-two of the Private and Special Laws of Eighteen Hundred and Ninety-seven, Relating to the Trustees of the Fund for the Support of the Episcopate of the Protestant Episcopal Church in the Diocese of Maine.....	598
164 An Act to Appropriate Moneys for the Expenditures of Government and for Other Purposes for the Year Nineteen Hundred Seventeen.....	599
165 An Act to Appropriate Moneys for the Expenditures of the Government for the Year One Thousand Nine Hundred and Eighteen.....	616
166 An Act to Incorporate the Boothbay Harbor Water District.....	629
167 An Act to Extend the Time within which the Provisions of Chapter One Hundred Eighty-six of the Private and Special Laws of Nineteen Hundred and Fifteen, Providing for Reorganization or Consolidation of the Railroad Companies Constituting the Boston and Maine Railroad System, may be Exercised .....	633
168 An Act to Incorporate the Pilgrims Home Cemetery Association.....	634
169 An Act to Incorporate the Investment Insurance & Guaranty Company.....	636
170 An Act to Make Valid the Doings of the Annual Town Meeting of the Town of Jackson .....	638
171 An Act to Increase the Salary of the Judge of the Municipal Court of Dexter .....	638
172 An Act to Ratify, Confirm and Make Valid the Acts of Incorporation and Proceedings of Abou Ben Adhem Lodge, Number Twenty-three, Independent Order of Odd Fellows.....	639
173 An Act to Amend Section Three of Chapter Three Hundred Eighty-four of the Private and Special Laws of Nineteen Hundred Seven, Increasing the Salary of the Recorder of the Old Town Municipal Court.....	639
174 An Act Relating to the Trustees of the Windham Ministerial Fund.....	640
175 An Act to Authorize The American Thread Company to Erect a Bridge across Sebec River in the Town of Milo.....	640
176 An Act to Amend Paragraph Three of Section One of Chapter Two Hundred Eighty-two of the Private and Special Laws of Nineteen Hundred and Nine, Increasing the Salary of Recorder of the Municipal Court of the City of Westbrook.....	640
177 An Act Additional to Chapter Four Hundred and Thirty-three of the Private and Special Laws of Nineteen Hundred and Seven, Entitled "An Act to Incorporate the Portland Water District.".....	641
178 An Act to Repeal Chapter One Hundred Thirty-four of the Special Laws of Eighteen Hundred and Thirty-one Entitled, "An Act Establishing a Fire Department in the Town of Portland;" Sections One, Three and Four of Chapter One Hundred Sixty-seven of the Private and Special Laws of Eighteen Hundred and Fifty-three Entitled, "An Act Relating to the City of Portland." .....	642
179 An Act to Legalize the Doings of the Inhabitants of the Town of Windham at the Annual Town Meeting held on March Fifth, Nineteen Hundred and Seventeen, and by Adjournment, on March Seventh, Nineteen Hundred and Seventeen .....	642

CHAP.	PAGE
180 An Act to Amend Chapter Sixty-five, of the Private and Special Laws of Eighteen Hundred and Ninety-nine, Entitled "An Act to Incorporate the Bath Trust Company.".....	643
181 An Act to Amend Section One of Chapter Eighty-five of the Private and Special Laws of Nineteen Hundred Fifteen Entitled "An Act Establishing a Close Time on Lobsters in Certain Waters of Hancock County."....	644
182 An Act to Incorporate the Van Buren Light and Power District.....	645
183 An Act to Create a Volunteer Police Reserve Force for the City of Portland .....	650
184 An Act to Amend the Charter of the City of Hallowell.....	651
185 An Act to Amend Section Two of Chapter Two Hundred and Four of the Private and Special Laws of Eighteen Hundred and Eighty-three, as Amended by Section One of Chapter One Hundred and Nineteen of the Private and Special Laws of Nineteen Hundred and Three, Increasing the Jurisdiction of the Municipal Court of the City of Westbrook.....	657
186 An Act to Enable the Town of Mexico in the County of Oxford to Free the Mexico Toll Bridge to Public Travel.....	658
187 An Act to Repeal All Special and Private Laws Relating to the Taking of Migratory Fish in Denny's River.....	659
188 An Act Authorizing the Selectmen of the Town of Brooksville to Grant a Private Way over Tide Water.....	659
189 An Act to Authorize the County of Piscataquis to Reimburse the Town of Brownville to the Extent of Thirty Per Cent of its Disbursements in the Construction of a Bridge across Pleasant River.....	660
190 An Act to Incorporate the Independence Developing Company, of Kingman	660
191 An Act Relating to Municipal Elections in the Town of Mount Desert.....	664
192 An Act to Create a Board of Harbor Commissioners for the Harbor of Portland, and Define its Powers.....	667
193 An Act to Create the Auburn Sewerage District and Transferring to it the Sewer System of the City of Auburn.....	673
194 An Act to Incorporate the Calais Water and Power Company.....	678
195 An Act to Authorize the County of Aroostook to Enlarge and Repair the Court Houses at Houlton and Caribou in said County.....	681
196 An Act Additional to Chapter Fifty-one of the Private and Special Laws of Nineteen Hundred and Seven, Relating to the Pollution of the Waters of North or Varnum's Pond .....	683
197 An Act to Incorporate the St. Croix Water Company.....	683
198 An Act to Amend Section Eight of Chapter Three Hundred and Twenty-five of the Private and Special Laws of Eighteen Hundred Ninety-seven, as Amended by Chapter One Hundred and Fifty of the Private and Special Laws of Nineteen Hundred and Fifteen, Decreasing the Salary of the Recorder of the Municipal Court of Waterville, and Providing for Payment of the Same by County of Kennebec.....	684
199 An Act for the Assessment of a State Tax for the Year One Thousand Nine Hundred and Eighteen .....	685
200 An Act for the Assessment of a State Tax for the Year One Thousand Nine Hundred and Seventeen.....	687
201 An Act to Grant a New Charter to the City of Auburn.....	688



CHAP.		PAGE
202	An Act to Provide for Conducting Scientific Investigation Bearing upon the Agriculture of Aroostook County .....	703
203	An Act to Incorporate Gould Electric Company.....	703
204	An Act Additional to Chapter Two Hundred and Fifty of the Private and Special Laws of Nineteen Hundred and Eleven, Granting to the Clark Power Company the Right to Extend its Lines, and the Right to Exercise the Power of Eminent Domain.....	705
205	An Act to Authorize Blaine S. Viles and Guy P. Gannett to Erect Dams and Develop Water Storage Basins on Bog Brook in Dead River Plantation for the Storage of Water for Driving Logs and Manufacturing.....	706
206	An Act to Appropriate Moneys for the Expenditures of the Government for the Year One Thousand Nine Hundred and Eighteen.....	707
207	An Act to Appropriate Moneys for the Expenditures of Government and for Other Purposes for the Year Nineteen Hundred Seventeen.....	710
208	An Act to Authorize Fort Kent Electric Company, to Erect and Maintain a Dam Across Wallagrass Stream.....	713

# SPECIAL SESSION

September, 1916.

1	An Act to Authorize the Board of Harbor Commissioners of the City of Portland to Alter and Modify the Harbor Lines.....	815
2	An Act to Provide for the Payment of the Per Diem and Mileage of Members and Officers and for Other Expenditures Incident to the Special Session of the Seventy-seventh Legislature .....	815

## TITLES OF RESOLVES.

SESSION OF 1917.

CHAP.	PAGE
1 Resolve, in Favor of 12th Company, C. A. C., N. G. S. M., on Account of Presidential Inauguration .....	717
2 Resolve, Reimbursing the State Legislative Printer for Overtime Work....	717
3 Resolve, in Favor of Rachel Stanley.....	718
4 Resolve, Proposing an Amendment to the Constitution Granting Suffrage to Women upon Equal Terms with Men.....	718
5 Resolve in Favor of the Recording and Other Officers of the House of Representatives of the Seventy-seventh Legislature, for Services at the Organization of the House of Representatives of the Seventy-eighth Legislature	719
6 Resolve, in Favor of Charles F. Barnes for Services as Page at the Organization of the Seventy-eighth Legislature .....	720
7 Resolve, Appropriating the Sum of Five Hundred Dollars for a Coat of Arms of the State of Maine for the Senate Chamber.....	720
8 Resolve, in Favor of the Central Maine Association for Relief and Control of Tuberculosis, for Payment of Outstanding Debts.....	720
9 Resolve, in Favor of the State Tuberculosis Sanatoriums for Maintenance and Other Purposes for the Years Nineteen Hundred and Seventeen and Nineteen Hundred and Eighteen.....	721
10 Resolve, in Favor of the Maine School for the Feeble Minded for Maintenance and Other Purposes for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen.....	723
11 Resolve, for Indexing the Documents Filed by the Legislatures of Maine since Eighteen Hundred and Twenty, now in the Office of the Secretary of the Senate .....	725
12 Resolve, in Favor of the Penobscot Tribe of Indians for the General Care, Maintenance, Relief and Education thereof .....	725
13 Resolve, Making Appropriations for the Passamaquoddy Tribe of Indians for the Years Nineteen Hundred and Seventeen and Nineteen Hundred and Eighteen .....	728
14 Resolve in Favor of George A. Dow.....	731
15 Resolve, in Favor of A. L. Dow & Company for Extra Labor and Material Furnished in Installing Plumbing at the State School for Boys in the Years Nineteen Hundred Five and Six.....	732
16 Resolve, Reimbursing the Town of Westfield for Money Expended for a State Pauper .....	732
17 Resolve, in Favor of the Board of Registration of Medicine.....	732
18 Resolve, to Amend Chapter Ninety-six of the Resolves of Nineteen Hundred and Nine, Relating to Animal Industry .....	732
19 Resolve, to Provide for the Appointment of a Commission to Perfect Plans for the Celebration of Maine's Centennial and the Three Hundredth Anniversary of the Landing of the Pilgrims.....	733
20 Resolve, in Favor of Alfred Yankauer for Information Furnished the Attorney General Regarding Certain Estates Liable to Inheritance Tax.....	733
21 Resolve in Favor of the Maine School for Deaf for Maintenance and Repairs .....	734

CHAP.	PAGE
22	Resolve, in Favor of Peter W. Ranco, Representative of the Penobscot Tribe of Indians ..... 734
23	Resolve, in Favor of the Several State Normal Schools and the Madawaska Training School for the Construction of New Buildings and for Permanent Repairs and Improvements ..... 734
24	Resolve, Providing an Increased Teacher's Pension for John F. Moody.... 736
25	Resolve in Favor of the Town of Mechanic Falls for the Payment of Additional State School Funds for the Year Nineteen Hundred Fifteen..... 736
26	Resolve, in Favor of the Bath Military and Naval Orphan Asylum, for Maintenance and Other Purposes for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen ..... 736
27	Resolve, Providing for a Commission to Investigate the Advisability of Making Improvements in Portland Harbor..... 737
28	Resolve in Favor of the Board of Dental Examiners, for Equipment, Printing and Postage ..... 738
29	Resolve, Appropriating Money for Expenses of the Electoral College..... 738
30	Resolve, Proposing an Amendment to the Constitution of the State of Maine Relative to the Tenure of the Office of Sheriff..... 738
31	Resolve, Reimbursing the Town of Chester for Expenses on Account of a State Pauper ..... 740
32	Resolve, Reimbursing the City of Auburn for Money Expended for the Support of Certain State Paupers..... 740
33	Resolve, Reimbursing the Town of Wilton for Money Expended for the Support of Certain State Paupers ..... 740
34	Resolve, Making an Appropriation for the Purpose of Public Instruction in Forestry ..... 740
35	Resolve, in Favor of Ida E. Heath of Chelsea..... 741
36	Resolve, Authorizing the Governor and Council to Accept Picture or Oil Painting of General Charles W. Tilden, to Hang in the Rotunda of the State House ..... 741
37	Resolve, in Favor of an Appropriation to Complete the Historical Records of Maine Men Serving in the United States Navy during the War for the Suppression of the Rebellion..... 743
38	Resolve, for Extra Pay to the Maine Volunteers in the War with Spain.... 743
39	Resolve, to Provide for a Survey by the Commissioner of Sea and Shore Fisheries of Areas Suitable for the Propagation of Clams, and to Provide Seed for such Propagation..... 743
40	Resolve, Appropriating Money for the State Forest Nursery and to Encourage Reforesting in Maine..... 743
41	Resolve, for the Appointment of Delegates to the Conferences of the National Tax Association, and Providing for Payment of the Expenses of such Delegates ..... 744
42	Resolve, in Favor of the Maine State Prison for Maintenance and Current Expenses ..... 744
43	Resolve, Authorizing the Treasurer and County Commissioners of York County to Procure a Loan and Issue Bonds of said County therefor for the Purpose of Erecting Additions to the Court House ..... 745
44	Resolve for Laying the County Taxes for the Year Nineteen Hundred Seventeen ..... 745
45	Resolve, Appropriating Money for Necessary Repairs on the State Armory at Portland ..... 746
46	Resolve, for the Purpose of Operating the Fish Hatcheries and Feeding Stations for Fish, for the Protection of Fish, Game and Birds, and for

CHAP.	PAGE
Printing the Report of the Commissioners of Inland Fisheries and Game, and Other Expenses Incident to the Administration of the Department of Inland Fisheries and Game .....	747
47 Resolve, in favor of the University of Maine, for the Purpose of Refunding a Certain Unnegotiable Registered Bond of the State of Maine.....	747
48 Resolve, Making an Appropriation for the Purchase of Steel Lockers for National Guard Armories .....	748
49 Resolve, in Favor of the Trustees of Juvenile Institutions for Per Diem and Expenses for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen .....	748
50 Resolve, in Favor of the State Hospitals for Maintenance and Other Purposes for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen .....	748
51 Resolve, in Favor of the Reformatory for Women for Maintenance and Other Purposes for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen .....	751
52 Resolve, in Favor of Certain Private Charitable and Benevolent Institutions for the Care, Support and Education of Indigent Persons and for Other Purposes .....	753
53 Resolve, in Favor of the State Juvenile Institutions, for Maintenance and Other Purposes, for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen .....	756
54 Resolve, Reimbursing Samuel N. Packard for the Loss of Two Cattle.....	760
55 Resolve, Proposing an Amendment to the Constitution of the State of Maine, Empowering the Legislature to Authorize Towns to Divide into Voting Districts for Purposes of Holding Elections.....	760
56 Resolve, Reimbursing the Town of Orneville for Expenses Incurred in the Care and Nursing of a State Pauper .....	761
57 Resolve, Providing for the Completion of the Book of Plans of Waldo County and Appropriating Money Therefor.....	761
58 Resolve, Appropriating Money for the Expenses of the State Board of Charities and Corrections for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen.....	761
59 Resolve, in Favor of Ernest E. Graffam of Poland.....	762
60 Resolve, for Laying the County Taxes for the Year Nineteen Hundred Eighteen .....	762
61 Resolve, Reimbursing the Town of Presque Isle for Money Expended on Account of a Certain Pauper .....	763
62 Resolve for the Payment of Expenses of Last Sickness and Burial of Allan Shenneck, formerly a Private, Company L, Maine Infantry, N. G. S. M... ..	763
63 Resolve, Authorizing the Treasurer of State to Reissue Matured State Highway Bonds .....	763
64 Resolve, in Favor of the Trull Hospital Aid Association for the Care, Support, Medical or Surgical Treatment of Indigent Persons.....	764
65 Resolve, Appropriating Money for the Protection of Trees and Shrubs from the Ravages of Dangerous Insects and Diseases.....	764
66 Resolve, Appropriating Money for the Repair of Teacher's Old Home, on Old Town Indian Island No. 1.....	765
67 Resolve, in Favor of the Reformatory for Women for Permanent Improvement of the Grounds and Other Purposes for the Year Nineteen Hundred Seventeen .....	765
68 Resolve in Favor of the University of Maine for Maintenance and for the Construction of New Buildings .....	765

CHAP.	PAGE
69 Resolve in Aid of Navigation on Various Lakes, Rivers and Thoroughfares in the State of Maine .....	766
70 Resolve, Making an Appropriation for the Maine Seed Improvement Association .....	767
71 Resolve, Making Appropriation to Support the Bureau of Horticulture.....	768
72 Resolve, Making an Appropriation for Co-operative Agricultural Work between the College of Agriculture of the University of Maine and the United States Department of Agriculture.....	768
73 Resolve in Favor of Anson Academy .....	768
74 Resolve in Favor of Sisters of Charity of Waterville, Maine.....	769
75 Resolve in Favor of Calais Hospital.....	769
76 Resolve Making Appropriation to Assist, Encourage and Develop the Poultry Industry in Maine .....	769
77 Resolve, Making an Appropriation for the Control of Contagious Diseases among Domestic Animals .....	770
78 Resolve in Favor of Home for Aged Women, Belfast.....	770
79 Resolve Making Appropriation for New England Fruit Show to be held in the year Nineteen Hundred Seventeen.....	770
80 Resolve, Making Appropriation for Support of Bureau of Weights and Measures .....	770
81 Resolve in Favor of Mrs. Mabel G. Sanborn of Augusta, for Money Expended in Support of Kate C. Robbins, a State Pensioner now Deceased..	771
82 Resolve, Directing the Highway Commission to Make Surveys, Plans and Estimates for an Interstate Bridge between Kittery, Maine, and Portsmouth, New Hampshire .....	771
83 Resolve, for Investigating and Clearing the Title of the Settlers on Township Seventeen, Range Five, in Aroostook County.....	771
84 Resolve, to Enable the Town of Millinocket to Raise Money for the Maintenance and Support of Sourdnahunk Road, between the Town of Millinocket and Millinocket Lake .....	772
85 Resolve, Continuing Unexpended Balance of Appropriation Provided by Chapter Three Hundred and Ten of the Resolves of Nineteen Hundred and Fifteen Entitled "Resolve Appropriating Money to Aid in the Construction of Sub-structure of a Highway Bridge across the St. John River between the Town of Madawaska, Maine, and the City of Edmundston, New Brunswick." .....	772
86 Resolve, to Reimburse Certain Cities and Towns for Money Expended for the Support of Dependent Families of Members of the National Guard...	772
87 Resolve, Providing an Epidemic or Emergency Fund.....	774
88 Resolve, in favor of the Co-operative Survey of the Boundary Line between the State of Maine and the State of New Hampshire.....	774
89 Resolve, in favor of Joseph H. Underwood.....	775
90 Resolve, Appropriating Money to Aid in Repairing and Constructing Roads and Bridges and for Other Purposes .....	775
91 Resolve, Making an Appropriation for the Support of the Bureau of Inspection of the Department of Agriculture .....	785
92 Resolve in Favor of Several Academies, Institutes, Seminaries and Colleges for Maintenance and for Repairs and Improvements.....	786
93 Resolve, in Favor of the Erection of a State Sanatorium in the County of Aroostook for the Treatment of Persons Suffering from Tuberculosis..	788
94 Resolve, in Favor of Certain Employees of the House of Representatives..	789
95 Resolve, in Favor of the Official Reporter of the House for Services of Assistant Reporter, Typewriter Operator and Additional Assistance in	

CHAP.	PAGE
the Preparation and Completion of the Legislative Record, including Installation and Rental of Dictating Machines.....	789
96 Resolve, Appropriating Money to Pay Ethel M. Wade, Stenographer and Typist to the Clerk of the House.....	790
97 Resolve, Proposing an Amendment to Article Seven of the Constitution Relating to Military.....	790
98 Resolve in Favor of Securing Plans for a State Library Building.....	791
99 Resolve, in Favor of Improvement of the Navigation of the Fish River Lakes in the County of Aroostook.....	791
100 Resolve, Appropriating Money for the Erection and Equipment of a State Armory for the Use of the National Guard in the City of Bangor.....	792
101 Resolve, Relating to Pay for National Guard and Naval Reserves of the State of Maine.....	792
102 Resolve, in Favor of Rena Cooley.....	793
103 Resolve, in Favor of Mary S. Hillman.....	793
104 Resolve, in Favor of the Secretaries of the Following Committees for Expenses of Committees Incurred During the Session of the Seventy-eighth Legislature .....	793
105 Resolve, Appropriating Money for the Erection and Equipment of a State Armory for the Use of the National Guard of the City of Lewiston.....	794
106 Resolve, Appropriating Money for the Care and Maintenance of Fort William Henry in the Town of Bristol .....	794
107 Resolve, for the Pay of the Chaplains and Certain Employees and for Typewriting and Stenographic Assistance for the Official Reporter of the Senate .....	795
108 Resolve, Continuing Unexpended Balance of Appropriation Provided by Chapter Three Hundred Twenty-one of the Resolves of Nineteen Hundred and Thirteen Entitled "Resolve in Favor of Aid in the Construction of a Highway Bridge across the St. John River between Fort Kent, Maine, and St. Francis, New Brunswick.".....	795
109 Resolve, Authorizing the Publication of Automobile Registration.....	796
110 Resolve on the Pay Roll of the House of the Seventy-eighth Legislature..	797
111 Resolve, Appropriating Money to Aid in Screening Lakes and Ponds, and for Other Purposes .....	802
112 Resolve on the Pay Roll of the Senate .....	805
113 Resolve, in Favor of T. M. Rollins, Mail Carrier of the House of Representatives, for Expenses.....	806
114 Resolve, Appropriating Money for the Purpose of Obtaining Information in Regard to Wild Lands for the Purposes of Taxation.....	806
115 Resolve, to Provide for the Payment of Telephone Service for Members During the Present Session of the Legislature .....	807
116 Resolve, Proposing an Amendment to Section Three of Part One of Article Four of the Constitution in Regard to the Apportionment of Representatives in the Event of Merger of Towns and Cities .....	807
117 Resolve, Providing for certain State Pensions.....	809
118 Resolve in Favor of George Martin for Services as Clerk and Stenographer of the Committee on Interior Waters .....	811
119 Resolve, in Favor of Fred F. Lawrence, for Services to Committee on Taxation .....	811

## SPECIAL SESSION

September, 1916

1	Resolve, on the Pay Roll of the Senate .....	819
2	Resolve, on the Pay Roll of the House of Representatives.....	822

MAINE STATE LIBRARY

**PUBLIC LAWS**  
**OF THE**  
**STATE OF MAINE**

As Passed by the Seventy-Eighth Legislature

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**1917**

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**Chapter 1.**

An Act Providing for a State Paper.

*Be it enacted by the People of the State of Maine, as follows:*

**Kennebec Journal the state paper.** The Daily Kennebec Journal, a newspaper printed at Augusta, shall be the state paper of this state, in which shall be published all laws and resolves of a public nature; and also all advertisements, notices and orders, required by law to be published in the state paper.

Approved February 16, 1917.

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**Chapter 2.**

**An Act to Amend Section Nineteen of Chapter Fifty-two of the Revised Statutes  
Relating to Compensation of Trustees of Savings Banks.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S. c. 52, § 19, relating to trustees of savings banks, amended.** Amend section nineteen of chapter fifty-two of the revised statutes by adding after the word "laws" in the next to the last line of said section the following words: 'for making examinations of property and for attendance at any regular or special meetings of the board of trustees, or any committee thereof,' also amend by adding after the word "thereof" being the

## CHAP. 8

last word in the last line of said section, the following words: 'or as may be fixed by the board of trustees and approved by the bank commissioner in writing,' so that said section as amended shall read as follows:

**'Sec. 19. Trustees may fix own compensation upon approval of bank commissioner.** The trustees, immediately after their election and qualification, shall elect one of their number president, who shall also be president of the corporation. They shall also elect a treasurer, and when deemed necessary, a vice-president and an assistant treasurer, to hold their offices during the pleasure of the trustees. The treasurer, and in his absence, the assistant treasurer, if there be one, shall be, ex-officio, clerk of the corporation, and of the trustees. The treasurer and assistant treasurer shall give bonds to the corporation, for the faithful discharge of the duties of their offices, in such sums as the trustees decide to be necessary for the safety of the funds, and such bonds shall continue and be valid from year to year, so long as they are elected, and hold said offices, subject to renewal whenever ordered by the trustees or commissioner. Said bonds shall be recorded upon the books of the institutions, and the commissioner shall annually examine the same and inquire into and certify to the sufficiency thereof, and when he deems any such bond insufficient, he shall order a new bond to be given within a time, by him specified. All such bonds shall, at the expiration of ten years from the date thereof, be deemed insufficient. The trustees may, in lieu of such bond, insure at the expense of the bank with some fidelity or guaranty company, which shall be satisfactory to the bank commissioner, for the faithful discharge of the duties of the treasurer, assistant treasurer and such other clerks as may be employed, in such sums as they may decide to be necessary for the safety of the funds in the custody of the corporation. Said treasurer, assistant treasurer and clerks shall receive a compensation to be fixed by the trustees. The trustees may receive such compensation for their services in making examinations and returns required by their by-laws and the state laws for making examinations of property and for attendance at any regular or special meetings of the board of trustees or any committee thereof, as may be fixed by the corporation at any legal meeting thereof, or as may be fixed by the board of trustees and approved by the bank commissioner in writing.'

Approved February 16, 1917.

## Chapter 3.

An Act to Amend Section Five of Chapter Eighty-three of the Revised Statutes Relating to the Term of the County Commissioners Court in Washington County.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 83, § 5, par. 16, relating to county commissioners courts, amended.** That section five of chapter eighty-three of the revised statutes be amended so that paragraph sixteen of that section shall read as follows:



## CHAP. 4

**‘Washington county, date and place.** Washington, at Machias, on the first Tuesday of January and second Tuesday of October, and at Calais, on the first Tuesday of May.’

Approved February 16, 1917.

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## Chapter 4.

**An Act Amending Section Twenty-six of Chapter Fifty-two of the Revised Statutes, Relating to Duplicate Books of Deposit Issued by Savings Banks and Trust Companies.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 52, § 26, relating to duplicate books of deposit, amended.** Section twenty-six, chapter fifty-two of the revised statutes is hereby amended by striking out in the eleventh and twelfth lines of said section the words “six months,” and inserting in place thereof the words ‘sixty days,’ so that said section as amended shall read as follows:

**‘Sec. 26. New deposit book to be issued in sixty days.** When the person, to whom a book of deposit was issued by any savings bank or by any trust company for a deposit in its savings department, or his executor, or administrator, or guardian, in writing notifies the treasurer of the bank or trust company issuing the same, that such book is lost, and that he desires to have a duplicate book of deposit issued to him, said treasurer shall give public notice of such application by publishing at the expense of such applicant, an advertisement for three weeks successively, in some newspaper published in the town in which said bank or trust company is located, if any, otherwise in one published in the county, if any, and if not, then in the state paper. If such missing deposit book is not presented to said treasurer within sixty days after the last advertisement, then he shall issue a duplicate book of deposit to the person thus requesting the same, and such delivery of a duplicate relieves said bank from all liability on account of the original book of deposit so advertised.’

Approved February 16, 1917.

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## Chapter 5.

**An Act to Amend Section Seventy-two of Chapter Fifty-two of the Revised Statutes Relating to Increase of Capital Stock of Trust Companies.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 52, § 72, relating to increase of stock of trust and banking companies, amended.** Amend section seventy-two, chapter fifty-two of the revised statutes by inserting after the word “inclusive” in the second line of said section, the words ‘or any company organized under special act of the legislature.’ Also amend by striking out the last sentence of said section and adding in place thereof the following: ‘Provided, however, before actually issuing such capital stock a certified copy of the vote authorizing the same shall be filed with the bank commissioner within ten

**CHAP. 6**

days after its passage, and thereupon he shall issue his approval or disapproval of the action so taken, and shall thereupon issue a certificate allowing such increase, a copy of which shall be filed in the office of the secretary of state,' so that said section as amended shall read as follows:

**'Sec. 72. Certified copy of vote to be filed with bank commissioner within ten days. Companies organized under special act of legislature included.** Any company organized under sections sixty-three to seventy-one, both inclusive, or any company organized under special act of the legislature, may increase its capital stock from time to time to an amount not exceeding in the aggregate, one million dollars, at any stockholders' meeting at which a majority of shares issued and outstanding is represented, notice of the intention so to do having been given in the call therefor. Provided, however, before actually issuing such capital stock a certified copy of the vote authorizing the same shall be filed with the bank commissioner within ten days after its passage, and thereupon he shall issue his approval or disapproval of the action so taken, and shall thereupon issue a certificate allowing such increase, a copy of which shall be filed in the office of the secretary of state.'

Approved February 16, 1917.

## Chapter 6.

An Act to Amend Section Seventy-three of Chapter Fifty-two of the Revised Statutes Relating to the Making of False Reports by Trust Companies.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 52, § 73, relating to board of directors of trust and banking companies, amended.** Section seventy-three, chapter fifty-two, of the revised statutes is hereby amended by adding the following paragraph:

'Any officer or employee of any trust company who shall wilfully or knowingly make any false return to the bank commissioner, in response to any call for information issued by the said commissioner, or by the deputy bank commissioner, or upon making or filing of any regular or special report, shall be subject to a penalty of a fine not exceeding five hundred dollars or by imprisonment not exceeding one year, or by both such fine and imprisonment,' so that said section as amended shall read as follows:

**'Sec. 73. Penalty for officer of trust company making false return to bank commissioner.** All the corporate powers of any such company shall be exercised by a board of not less than five directors, two-thirds of whom shall be residents of this state, whose number and term of office shall be determined, and who shall be elected by a vote of the stockholders at the first meeting held by the incorporators and at each annual meeting thereafter. The affairs and powers of the company may, at the option of the stockholders, be entrusted to an executive board of not less than five members, two-thirds of whom shall be residents of this state, to be, by vote of the stockholders, elected from the full board of directors. The directors of such company shall be sworn to the proper discharge of their

## CHAP. 7

duties, and they shall hold office until others are elected and qualified in their stead. If a director dies, resigns, or becomes disqualified for any cause, the remaining directors may elect a person to fill the vacancy until the next annual meeting of the corporation. The oath of office of any director shall be taken within thirty days of his election, or his office shall become vacant. The clerk of such company shall, within ten days, notify such directors of their election and within thirty days shall publish the list of all persons who have taken the oath of office as directors. The removal of any director from this state shall immediately vacate his office, if such removal leaves less than two-thirds of the membership resident in the state. The board of directors or executive board shall elect a president from its number, a clerk who shall be sworn to the faithful performance of his duties, a treasurer and such other officers, servants and employees as they may deem necessary. Any officer or employee of any trust company who shall wilfully or knowingly make any false return to the bank commissioner, in response to any call for information issued by the said commissioner, or by the deputy bank commissioner, or upon making or filing or any regular or special report, shall be subject to a penalty of a fine not exceeding five hundred dollars or by imprisonment not exceeding one year, or by both such fine and imprisonment.'

Approved February 24, 1917.

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## Chapter 7.

An Act to Amend Section Nineteen of Chapter Eighty of the Revised Statutes Relative to Title by Descent.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 80, § 19, relating to proceedings when husband or wife refuses to release interest in real estate, amended. Section nineteen of chapter eighty revised statutes is hereby amended by adding after the word "state," in the fourth line of said section, the words 'or if the owner is a resident of this state and the husband or wife is under guardianship' so that said section as amended shall read as follows:

'Sec. 19. Like proceedings when owner is resident of state and husband or wife is under guardianship. If the owner of real estate contracts to sell the same, and the husband or wife of the owner refuses to release his or her interest and right by descent, or if the owner is a non-resident and the husband or wife is incapacitated and has no guardian in this state or if the owner is a resident of this state and the husband or wife is under guardianship the owner may apply to a justice of the supreme judicial court or superior court, who, after such notice to the other party as he may order, and hearing, may, in his discretion, approve the sale and price, and order the owner to pay to the clerk of court, for such husband or wife of the owner, such sum as would amount to one-third of the price approved, if the owner has issue, and one-half if he has no issue, at the expiration of the owner's expectancy of life, computed at three per cent, compound interest. The clerk shall give a certificate of such approval by the court,

## CHAP. 8

and of the fact that said money has been paid as aforesaid, to be filed with the register of deeds in the county or registry district where the land lies, with the owner's deed thereof, and such register shall record the same; and thereafter such interest or right by descent in such real estate shall be barred. An assignee for the benefit of creditors, or in insolvency, or a trustee in bankruptcy, or any person holding title by levy or sale on execution may make application for proceedings under this section in relation to any real estate held by him in such capacity, to bar the interest and right by descent therein, of the husband or wife of the assignor, insolvent or bankrupt, or the interest and right by descent therein of the husband or wife of the judgment debtor.'

Approved February 24, 1917.

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## Chapter 8.

An Act to Amend Section Forty-five of Chapter Sixty-four of the Revised Statutes, Relating to the Care and Custody of Minors.

*Be it enacted by the People of the State of Maine, as follows:*

R. S. c. 64, § 45, relating to custody of minor children when parents live apart, amended. Section forty-five of chapter sixty-four of the revised statutes is hereby amended by inserting after the word "the" in the fourth line, the word 'exclusive' and is further amended by inserting after the word "minor", in the fifth line the words, or he may apportion the care and custody of the said minor, between the parents' so that said section as amended shall read as follows:

'Sec. 45. Judge of probate may apportion care between parents, or may give one exclusive care. If the father and mother of a minor child are living apart from each other, the judge of probate in the county where either resides, on petition of either, and after such notice to the other as he may order, may decree which parent shall have the exclusive care and custody of the person of such minor, or he may apportion the care and custody of the said minor between the parents, as the good of the child may require; which decree shall be in force until further order of the judge of probate. An appeal shall lie from such decree to the supreme court of probate, which appeal shall be heard and determined by the justice presiding, but the decree of the judge of probate shall be in force until reversed.'

Approved March 1, 1917.

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## Chapter 9.

An Act to Provide Whole Family Protection for Members of Fraternal Benefit Societies

*Be it enacted by the People of the State of Maine, as follows:*

Sec. 1. Payment of death benefits, by fraternal benefit societies, upon lives of children between ages of two and eighteen. Schedule of benefits

## CHAP. 9

**permitted.** Any fraternal benefit society authorized to do business in this state and operating on the lodge plan, may provide in its constitution and by-laws, in addition to other benefits provided for therein, for the payment of death or annuity benefits upon the lives of children between the ages of two and eighteen years at next birthday, for whose support and maintenance a member of such society is responsible. Any such society may at its option, organize and operate branches for such children and membership in local lodges and initiation therein shall not be required of such children, nor shall they have any voice in the management of the society. The total benefits payable as above provided shall in no case exceed the following amounts at ages at next birthday at time of death, respectively, as follows: two, thirty-four dollars; three, forty dollars; four, forty-eight dollars; five, fifty-eight dollars; six, one hundred and forty dollars; seven, one hundred and sixty-eight dollars; eight, two hundred dollars; nine, two hundred and forty dollars; ten, three hundred dollars; eleven, three hundred and eighty dollars; twelve, four hundred and sixty dollars; thirteen to fifteen, five hundred and twenty dollars; and sixteen to eighteen years, where not otherwise authorized by law, six hundred dollars.

**Sec. 2. Subscriptions to aggregate 500 before benefit certificate is issued.** No benefit certificate as to any child shall take effect until after medical examination or inspection by a licensed medical practitioner, in accordance with the laws of the society, nor shall any such benefit certificates be issued until the society shall have at least five hundred subscriptions therefor, on each of which at least one assessment has been paid, nor where the number of lives represented by such certificates falls below five hundred. The death benefit contributions to be made upon such certificates shall be based upon the "Standard Industrial Mortality Table" or the "English Life Table Number Six" and a rate of interest not greater than four per cent. per annum, or upon a higher standard; provided that contributions may be waived or returns may be made from any surplus held in excess of reserve and other liabilities, as provided in the by-laws, and, provided further that extra contributions shall be made if the reserves hereafter provided for become impaired.

**Sec. 3. Reserve must be maintained. Certificate may be changed when child reaches minimum age of initiation. Original beneficiary to have no claim on new certificate.** Any society entering into such insurance agreements shall maintain on all such contracts the reserve required by the standard of mortality and interest adopted by the society for computing contributions as provided in section two, and the funds representing the benefit contributions and all accretions thereon shall be kept as separate and distinct funds, independent of the other funds of the society, and shall not be liable for nor used for the payment of the debts and obligations of the society other than the benefits herein authorized; provided, that a society may provide that when a child reaches the minimum age for initiation into membership in such society, any benefit certificate issued hereunder may be surrendered for cancellation and exchanged for any other form of certificate issued by the society, provided that such surrender will not reduce the number of lives insured in the branch below five

**CHAP. 10**

hundred, and upon the issuance of such new certificate any reserve upon the original certificate herein provided for shall be transferred to the credit of the new certificate. Neither the person who originally made application for benefits on account of such child, nor the beneficiary named in such original certificate, nor the person who paid the contributions, shall have any vested right in such new certificate, the free nomination of a beneficiary under the new certificate being left to the child so admitted to benefit membership.

**Sec. 4. Society must make separate financial statement to insurance commissioner.** Accounts to be kept separate as long as certificates remain in force. An entirely separate financial statement of the business transactions and of assets and liabilities arising therefrom shall be made in its annual report to the insurance commissioner by any society availing itself of the provisions hereof. The separation of assets, funds and liabilities required hereby shall not be terminated, rescinded or modified, nor shall the funds be diverted for any use other than as specified in section three, as long as any certificates issued hereunder remain in force, and this requirement shall be recognized and enforced in any liquidation, reinsurance, merger or other change in the condition of the status of the society.

**Sec. 5. Constitution and by-laws may provide for specified payments.** Any society shall have the right to provide in its laws and the certificate issued hereunder for specified payments on account of the expense or general fund, which payments shall or shall not be mingled with the general fund of the society as its constitution and by-laws may provide.

**Sec. 6. Child's certificate may be continued after termination of membership of person responsible for its support.** In the event of the termination of membership in the society by the person responsible for the support of any child, on whose account a certificate may have been issued, as provided herein, the certificate may be continued for the benefit of the estate of the child, provided the contributions are continued, or for the benefit of any other person responsible for the support and maintenance of such child, who shall assume the payment of the required contributions.

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## Chapter 10.

An Act to Amend Section One of Chapter Eighty-five of the Revised Statutes Relating to the Bonds of Sheriffs.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 85, § 1, relating to election or appointment of sheriffs, and their bonds, amended.** Section one of chapter eighty-five of the revised statutes is hereby amended by inserting in the eighth line after the word "sureties" the words, 'or with the bond of a surety company authorized to do business in this state as surety', so that section one as amended shall read as follows:

**'Sec. 1. Sheriffs may be bonded by surety companies authorized to do business in the state.** Sheriffs shall be elected or appointed and shall hold

## CHAP. 11

their offices, according to the constitution, and their election shall be effected and determined as is provided respecting county commissioners, and they shall enter upon the discharge of official duty on the first day of January following. Every person elected or appointed sheriff for either of the counties of York, Cumberland, Kennebec or Penobscot, before receiving his commission, shall give bond to the treasurer of state, with at least three sufficient sureties or with the bond of a surety company authorized to do business in this state as surety, in the sum of forty thousand dollars; and for either of the other counties, in the sum of twenty-five thousand dollars, conditioned for the faithful performance of the duties of his office, and to answer for all neglect and misdoings of his deputies.'

Approved March 1, 1917.

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## Chapter 11.

An Act to Amend Sections Four and Five of Chapter Seventy-eight of the Revised Statutes, Relating to the Sale of Real Estate Subject to Contingent Remainders.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1, R. S., c. 78, § 4, relating to sale of real estate subject to contingent remainders, amended.** Section four of chapter seventy-eight is hereby amended by inserting after the word "estate", in the fifth line of said section, the words 'which petition shall set forth the nature of the petitioner's title to said real estate, the source from which the title was derived, the names and addresses of all persons known to be interested in said real estate, and such other facts as may be necessary for a full understanding of the matter,' so that said section, as so amended shall read as follows:

**'Sec. 4. Petition for sale must give all facts necessary for full understanding of matter.** When real estate is subject to a contingent remainder, executory devise, or power of appointment, the supreme judicial court, or the probate court, for the county in which such real estate is situated, may, upon the petition of any person who has an estate in possession in such real estate, which petition shall set forth the nature of the petitioner's title to said real estate, the source from which the title was derived, the names and addresses of all persons known to be interested in said real estate, and such other facts as may be necessary for a full understanding of the matter, and after notice and other proceedings as herein-after required, appoint one or more trustees, and authorize him or them to sell and convey such estate or any part thereof in fee simple, if such sale and conveyance appears to the court to be necessary or expedient; to mortgage the same, either with or without power of sale, for such an amount, on such terms, and for such purposes, as may seem to the court judicious or expedient; and such conveyance or mortgage shall be valid and binding upon all parties.'

**Sec. 2. R. S., c. 78, § 5, relating to notice of petition, amended.** Section five of said chapter is amended by adding, after the word "therein," in the fourth line of said section, the words 'provided that if persons in-

**CHAP. 12**

interested in said real estate do not consent in writing to a sale thereof, personal notice of the time and place of the hearing on said petition shall be given to all persons known to be interested therein. Said personal notice may be given in any manner provided by law, or by the clerk of courts or the register of probate sending a copy of said petition and order of court thereon by registered mail, return receipt requested, in time to give each party at least fourteen days' notice of said hearing. The written statements of the clerk and register, with the return receipt, shall be proof of said service'; so that said section five, as so amended, shall read as follows:

**'Sec. 5. Personal notice must be given fourteen days before date of hearing.** Notice of any such petition shall be given in such manner as the court may order, to all persons who are or may become interested in the real estate to which the petition relates, and to all persons whose issue, not in being, may become interested therein; provided that if persons interested in said real estate do not consent in writing to a sale thereof, personal notice of the time and place of the hearing on said petition shall be given to all persons known to be interested therein. Said personal notice may be given in any manner provided by law, or by the clerk of courts or the register of probate sending a copy of said petition and order of court thereon by registered mail, return receipt requested, in time to give each party at least fourteen days' notice of said hearing. The written statements of the clerk and register, with the return receipt, shall be proof of said service. The court shall in every case appoint a suitable person to appear and act therein as the next friend of all minors, persons not ascertained, and persons not in being, who are or may become interested in such real estate; and the cost of the appearance and services of such next friend, including the compensation of his counsel, to be determined by the court, shall be paid, as the court may order, either out of the proceeds of the sale or mortgage or by the petitioner, in which latter case execution therefor may issue in the name of the next friend.'

Approved March 1, 1917.

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## Chapter 12.

**An Act to Amend Section Fifty-six of Chapter Fifty-three of the Revised Statutes Relating to Retiring of Guaranty Capital of Mutual Fire Insurance Companies.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 53, § 56, relating to capital, guaranty fund, etc., of insurance companies, amended.** Section fifty-six of chapter fifty-three of the revised statutes is hereby amended to read as follows:

**'Sec. 56. Guaranty capital to be retired when net cash assets equal three times the amount of said capital.** Such agreement shall set forth the fact that the subscribers thereto associate themselves with the intention to constitute a corporation, the name by which it shall be known, the class or classes of insurance for the transaction of which it is to be constituted,



## CHAP. 12

the plan or principle upon which its business is to be conducted, the town or city in which it is established or located, and if a stock company, the amount of its capital stock, and if a mutual company with a guaranty capital, the amount thereof. The capital stock of a stock company organized for any of the purposes hereinbefore mentioned shall not be less than one hundred thousand dollars; a mutual company incorporated to transact any class or kind of insurance other than fire, marine or plate glass shall have a guaranty capital as provided in section fifty-seven and holders of certificates of such guaranty capital shall not receive dividends in excess of seven per cent in any one year, and in no case unless such dividends are properly earned after determining all liability as required by the insurance commissioner. Mutual companies may be incorporated to transact fire, marine and plate glass insurance and may operate in accordance with the provisions of section thirty-six, and other provisions of the laws of this state relating to such companies, provided, that they shall confine their business to not more than ten towns; mutual companies which do not so limit their business, may incorporate for any of the foregoing purposes but before doing any business they shall establish a guaranty fund or capital of not less than ten thousand dollars which may be divided into shares of not less than one hundred dollars and certificates issued therefor. A dividend not exceeding seven per cent in any one calendar year may be paid from the net earnings of the company after providing for all expenses, losses, reserves and liabilities then incurred. Such guaranty fund or capital shall be invested as provided in section twenty and shall be deposited with the treasurer of state. When the cash and other available assets of the company are exhausted such part of said fund as may be required shall, with the approval of the insurance commissioner, be drawn and used to pay losses then due. When such fund is so drawn upon the directors shall make good the amount so drawn by assessments upon the contingent funds or notes of the company and unless such fund is restored within six months from date of withdrawal, the shareholders shall be assessed in proportion to the amount of stock owned by them for the purpose of restoring said capital. Shareholders and members of such companies shall be subject to the same provisions of law relative to their right to vote as apply respectively to shareholders in stock companies and policyholders in purely mutual companies; said guaranty capital may be retired, by vote of the policy-holders, when the surplus funds of the company over and above all liabilities, including guaranty capital, shall equal or exceed the amount of such guaranty capital, or any part of said guaranty capital may be retired; provided that the amount of net surplus and guaranty fund shall not be less than ten thousand dollars. Said guaranty capital shall be retired when the net cash assets of the company equal to three times the amount of guaranty capital. Any mutual fire, marine or plate glass insurance company which has established a guaranty capital as provided herein and has obtained applications for insurance as required by section fifty-eight, shall be authorized by the insurance commissioner to write business and such company may take a premium note as provided in section thirty-six, or in lieu of said note it may charge and collect a premium in cash and by its by-laws and policies fix the con-

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**CHAP. 18**

tingent mutual liability of its members for the payment of losses and expenses not provided for by its cash funds; but such contingent liability of a member shall not be less than an amount equal to and in addition to the cash premium written in his policy and in no case less than one per cent of the maximum liability of the company under said policy. The total amount of the liability of the policy holder shall be plainly and legibly stated upon the filing-back of each policy. Whenever any reduction is made in the contingent liability of members such reduction shall apply proportionally to all policies in force.'

Approved March 1, 1917.

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## Chapter 13.

**An Act to Provide Compensation for Town Clerks for Issuing and Recording Burial Permits.**

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 118, § 20, relating to fees of town clerks, amended. Shall receive twenty-five cents for issuing burial permits. Section twenty of chapter one hundred eighteen of the revised statutes is hereby amended by adding thereto, the following paragraph: 'For preparing and issuing burial permits, undertaker's voucher and memoranda necessary for the office and for filing such memoranda, twenty-five cents, to be paid on issuing the burial permit.'

Approved March 1, 1917.

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## Chapter 14.

**An Act to Amend Section Thirty-eight of Chapter Forty of the Revised Statutes, Relative to Old Home Week.**

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 40, § 38, relating to Old Home Week, amended. Section thirty-eight of chapter forty of the revised statutes, is hereby amended by inserting after the word "year" in the second line thereof the following words, 'or any week a town may designate at its annual town meeting,' so that said section as amended, shall read as follows:

'Sec. 38. Town may designate date at annual town meeting. The week commencing with the second Sunday in August of each year, or any week a town may designate, at its annual town meeting, is hereby designated and set apart as old home week.'

Approved March 1, 1917.

## Chapter 15.

**An Act Providing for a Centennial Week in Nineteen Hundred and Twenty and Authorizing Cities and Towns to Raise and Appropriate Money for the Observance thereof.**

*Be it enacted by the People of the State of Maine, as follows:*

**Centennial Week.** The week commencing the Sunday preceding Labor Day in nineteen hundred and twenty is hereby designated and set apart as centennial week and cities and towns are authorized to raise and appropriate money for the due observance thereof.

Approved March 1 1917.

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## Chapter 16.

**An Act to Amend Section Twenty-three of Chapter One Hundred and Twenty-four of the Revised Statutes, Relating to Assaults upon or Interference with Officers.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 124, § 23, relating to assaults upon, or interference with officers, amended.** Section twenty-three of chapter one hundred and twenty-four of the revised statutes is hereby amended by inserting after the word "warden" in the third line thereof the words 'inland fish and game warden', so that said section, as amended shall read as follows:

**'Sec. 23. Inland fish and game warden included.** Whoever assaults, intimidates, or in any manner wilfully obstructs, intimidates or hinders any sheriff, deputy sheriff, coroner, constable, fish warden, inland fish and game warden or police officer while in the lawful discharge of his official duties, whether with or without process, shall be punished by imprisonment not exceeding one year, or by fine not exceeding five hundred dollars.'

Approved March 1, 1917.

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## Chapter 17.

**An Act to Amend Section One of Chapter Seventy-nine of the Revised Statutes, Relating to Wills.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 79, § 1, relating to making of wills, amended.** Section one of chapter seventy-nine of the revised statutes is hereby amended by inserting, after the words "twenty-one years" in the second line, the words 'and a married woman or widow of any age,' so that said section, as amended, shall read as follows:

**'Sec. 1. Married woman, or widow of any age, may dispose of real or personal property by will.** A person of sound mind, and of the age of twenty-one years, and a married woman or widow of any age, may dispose of his real and personal estate by will, in writing, signed by him, or

**CHAP. 18**

by some person for him at his request, and in his presence, and subscribed in his presence by three credible attesting witnesses, not beneficially interested under said will.'

Approved March 8, 1917.

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## **Chapter 18.**

**An Act Relating to Issuance of Duplicate Passbooks and Certificates by Loan and Building Associations.**

*Be it enacted by the People of the State of Maine, as follows:*

**Duplicate passbook of loan and building associations may be issued upon proof of loss of original.** When the owner of shares in any loan and building association, evidenced by both passbook and certificate, or either of them, or the executor, administrator or guardian of said owner, in writing notifies the secretary of said loan and building association issuing the same, that such passbook or certificate of shares is lost and that he desires to have a duplicate passbook or certificate of shares issued to him, said secretary shall give public notice of such application by publishing at the expense of such applicant an advertisement once a week for three weeks successively in some newspaper published in the town in which said loan and building association is located, if any, otherwise in one published in the county, if any, if not, then in the state newspaper. If such missing passbook or certificate of shares is not presented to said secretary within sixty days after the last advertisement, then he shall issue a duplicate passbook or certificate of shares to the person thus requesting the same and such delivery of the duplicate relieves said association from all liability on account of the original passbook or certificate of shares, so advertised.

Approved March 8, 1917.

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## **Chapter 19.**

**An Act Concerning Industrial Banks, Defining Same and Providing for their Incorporation, Powers, Supervision and Control.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Industrial banks, defined.** The term "industrial bank" as used in this act means any corporation formed under the provisions of this act.

**Sec. 2. Organization.** Industrial banks may be organized in the same manner as is provided for the organization of trust companies, so far as applicable and not inconsistent with the provisions of this act.

**Sec. 3. Government.** Except as herein otherwise provided, such corporations shall be governed and conducted in the manner provided by law for corporations generally in so far as not inconsistent with the provisions of this act.

**Sec. 4. Capital stock and shares.** The capital stock of an industrial bank shall not be less than twenty-five thousand dollars in any town or city having a population of less than fifty thousand inhabitants, and shall

not be less than fifty thousand dollars in any town or city having fifty thousand or more inhabitants and less than one hundred and fifty thousand inhabitants, and shall not be less than one hundred thousand dollars in any town or city having one hundred and fifty thousand inhabitants or more, according to the last official census. The capital stock of every such corporation shall be divided into shares of the par value of one hundred dollars each, at least twenty-five per cent. of which shall be paid into the treasury of the corporation in cash before such corporation shall be authorized to transact any business other than such as relates to its formation and organization, and such payment shall be certified to the bank commissioner under oath by the president and manager of said corporation. The balance of the capital stock shall be paid to the corporation in cash at the rate of not less than ten per cent. per month following the initial payment. No corporation organized under this act shall create more than one class of stock.

**Sec. 5. May use word "bank" as part of corporate title.** Every corporation incorporated under this act shall be known as an industrial bank, and may use the word "bank" as a part of its corporate title.

**Sec. 6. Powers and duties.** In addition to the powers conferred upon corporations by the general corporation law, every industrial bank shall have the following powers:

**I.** To lend money and discount notes, and to deduct interest thereon in advance at the rate of six per centum per annum; and in addition to receive uniform weekly or monthly installments on its certificates of indebtedness or deposit purchased by the borrower simultaneously with the said loan transaction, or otherwise, and pledged with the corporation as security for the said loan, with or without an allowance of interest on such instalments.

**II.** To sell or negotiate bonds, notes, certificates of investment and choses in action for the payment of money at any time, either fixed or uncertain, and to receive payments in instalments or otherwise, with or without an allowance of interest upon such instalments.

**III.** To charge for a loan made pursuant to this section one dollar for each fifty dollars or fraction thereof loaned for expenses, including any examination or investigation of the character and circumstances of the borrower, co-maker or surety and the drawing and taking acknowledgment of necessary papers or other expenses incurred in making the loan; no charge shall be collected unless a loan shall have been made as a result of such examination or investigation, and no such charge shall exceed five dollars.

**IV.** To establish branch offices or agencies in the manner and subject to the conditions prescribed for the establishment of branches or agencies in the case of trust companies.

**Sec. 7. Prohibitions.** No industrial bank shall:

**I.** Hold at any one time the obligation or obligations of any one person, firm or corporation for more than two and one-half per centum of the amount of capital and surplus of such industrial bank.

**CHAP. 20**

**II.** Make any loan under the provisions of this act for a longer period than one year from the date thereof.

**III.** Deposit any of its funds with any other moneyed corporation unless such corporation has been designated as such depository by a vote of a majority of the directors or of the executive committee, exclusive of any director who is an officer, director or trustee of the depository so designated.

**Sec. 8. Bank commissioner to make examination and issue certificate.** Upon receipt by the bank commissioner of the certificate showing that twenty-five per cent. of the capital stock has been paid into the treasury of the corporation in cash as herein provided, said commissioner shall cause an examination to be made, and if after such examination it appears that the required amount of capital stock has been paid in in cash, and that all requirements of law have been complied with, said commissioner shall issue a certificate authorizing such corporation to begin the transaction of business. It shall be unlawful for any such corporation to begin the transaction of business until such a certificate has been granted.

**Sec. 9. Under supervision and control of bank commissioner.** R. S., c. 52, § 47 to § 57, applicable. Every corporation incorporated under the provisions of this act shall be subject to the examination, supervision and control of the bank commissioner and shall report to him in the manner provided for savings banks and savings institutions, and the provisions of sections forty-seven to fifty-seven, inclusive, of chapter fifty-two of the revised statutes, shall apply to industrial banks.

Approved March 8, 1917.

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## **Chapter 20.**

**An Act to Amend Section Eight of Chapter Fifty-seven of the Revised Statutes, and Providing a Penalty for Evading Taxicab and Public Automobile Fares.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 57, § 8, relating to evading of payment of fares, amended.** Section eight of chapter fifty-seven of the revised statutes providing a penalty for evading payment of fare or riding on freight-train is hereby amended by inserting after the word "ferry" in the third and fifth lines thereof the following words 'or in a taxicab or public automobile,' and by inserting after the word "ferry" in the eighth line the following words: 'or taxicab or public automobile' so that said section, as amended, shall read as follows:

**'Sec. 8. Taxicabs and public automobiles included.** No person is entitled to transportation over a steam railroad, street railroad, or upon any steamboat or ferry, or in a taxicab or public automobile, who does not on demand first pay the established fare. Whoever while being transported over any steam railroad, street railroad, steamboat, ferry, or in a taxicab or public automobile, wilfully refuses on demand to pay the established fare, and whoever fraudulently evades payment of the established fare by

## CHAP. 21

giving a false answer, or by traveling beyond the place to which he has paid, or by leaving a train, street railroad car, steamboat or ferry, or taxicab or public automobile, without paying the established fare, whether said fare is demanded or not, or whoever without right or authority rides in or upon any freight train, forfeits not less than five, nor more than twenty dollars, to be recovered on complaint.'

Approved March 8, 1917.

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## Chapter 21.

An Act to Amend Section Twenty-seven, Sub-section Third, of Chapter Fifty-two of the Revised Statutes so as to Permit Savings Banks to Invest in Certain Corporation Bonds.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 52, § 27, relating to investment of deposits of savings banks, amended.** Amend section twenty-seven of chapter fifty-two, sub-section third, of the revised statutes, by adding thereto the following paragraphs, which shall be known as paragraphs "i" and "j."

**'i: May invest in first mortgage bonds of certain public service corporations, outside of Maine, engaged in electric light and power business.** In the first mortgage bonds of any public service corporation located, wholly or in part, in the states, other than Maine, named in paragraph "f," engaged in the business of producing and distributing electric light and power, when they otherwise comply with the provisions specified in paragraphs "f" and "g"; provided, that the average gross income of said corporation for the three years next preceding such investment shall have been not less than two hundred thousand dollars for each year, and the average net income of said corporation for the same period shall have been not less than twice interest charges on the bonds outstanding secured by such mortgage, and all prior liens; and further provided that such net income for the last preceding year shall have been not less than one and one-half times the interest charges on all the interest bearing indebtedness of the corporation. The net income of a company, as described in this section, shall be its net earnings and income derived from the property covered by the mortgage in question, after payment of all operating expenses, maintenance charges, repairs, renewals, rentals and taxes and all guaranteed interest and guaranteed dividends paid by or due from it. Satisfactory proof of such gross and net earnings must be furnished to the bank commissioner and certified by him in the manner provided in paragraph "f" for electric railroads, before the bonds shall become a legal investment.'

**'j: Also in first mortgage bonds of public service corporations engaged in electric railroad, light and power, or artificial gas business.** In the first mortgage bonds of any public service corporation, combining business of an electric railroad, light and power company, and an artificial gas company, or any two of them, which otherwise complies with the provisions specified in paragraphs "f" and "g" and "i"; provided the average gross income of such corporation for the three years next preceding shall have been at least three hundred thousand dollars per annum.'

Approved March 8, 1917.

## Chapter 22.

An Act to Amend Section Sixty-seven of Chapter Forty-five of the Revised Statutes,  
Relating to Close Time on Scallops.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 45, § 67, relating to close time on scallops, amended.** Section sixty-seven of chapter forty-five of the revised statutes is hereby amended by striking out all the words after "year" in the fourth line, and before the word "it," in the ninth line, said words being as follows: "But this section shall not apply to any of the waters of Penobscot bay, lying between lines running south from Naskeag Point on the east, and from Dice's Head, by the eastern shore of Islesboro, on the west, and including the waters of Bagaduce river; where scallops may be taken between June fifteenth and September fifteenth of each year," so that said amended section shall read as follows:

**'Sec. 67. Penobscot bay and Bagaduce river included in general provisions.** No person shall catch, buy or sell, expose for sale, give away, or have in his possession for any purpose any scallops, shelled or in the shell, between the fifteenth day of April and the first day of November of each year. It shall be unlawful to ship scallops so taken, out of the state. Whoever violates this section shall be liable to a penalty of fifty dollars, and in addition shall pay a penalty of five dollars for each and every gallon or part thereof of shelled scallops, so bought, sold, exposed for sale, given away or in his possession; and shall pay a penalty of five dollars for each one hundred scallops or any part thereof, in the shell, so bought, sold, exposed for sale, given away or in his possession; and any boat with its equipment, engaged and used in such unlawful catching or selling of scallops may be seized and detained by an officer or warden, not exceeding twenty-four hours, in order that it may be attached or taken by due process of law, to satisfy any judgment that may be recovered; but said boat and equipment shall be released at any time on payment of penalty and costs legally due. Scallop gear found on board any boat in close time shall be prima facie evidence of a violation of this section.'

Approved March 8, 1917.

## Chapter 23.

An Act to Amend Section Eighteen of Chapter Forty-five of the Revised Statutes,  
Relating to the Lobster License Law.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 45, § 18, relating to issuance of lobster licenses, amended.** Section eighteen of chapter forty-five of the revised statutes is hereby amended, by adding after the word "same" and before the word "such" in the seventeenth line, the following: 'A renewal of license need not be made upon application blanks, but such license can be renewed upon written request to the commissioner, accompanied by fee for same,' so that said amended section shall read as follows:



**Sec. 18.** Licenses may be renewed upon written request to commissioner, accompanied by fee. Application blanks not necessary. The commissioner of sea and shore fisheries shall grant and issue licenses to any citizen of this state, or to any person who has resided in this state for one year immediately preceding the date of application for license, or to corporations or firms engaged in the lobster business located in this state or other states, to catch, take, hold, buy, ship, transport, carry, give away, remove, sell or expose for sale, within this state, and have in his or its possession, lobsters from the waters within the jurisdiction of this state, in the manner, at the time and subject to the regulations provided in sections seventeen to thirty-four, both inclusive. Applications for licenses shall be made upon special forms provided by the commissioner of sea and shore fisheries, and the said commissioner shall keep the clerks of the various cities, towns and plantations bordering on the seashore, and other clerks who request them, supplied with blank applications; said clerks shall keep a supply of the same on hand and furnish them to all applicants. All applications, when filled out, shall be forwarded to the office of said commissioner, together with the fees for same. A renewal of license need not be made upon application blanks, but such license can be renewed upon written request to the commissioner, accompanied by fee for same. Such licenses shall be granted to expire on the last day of November next succeeding the granting of the same, unless sooner revoked, as provided in section twenty, and each person, firm or corporation to whom licenses shall be granted, shall, for each license, pay to said commissioner the sum of one dollar for the use of the state, to be forwarded to the treasurer of state; which amounts shall be credited to and be a part of the funds to be used for operating expenses in the department of sea and shore fisheries. The commissioner, in his biennial report shall state the number of licenses granted, the names of the parties licensed and the amount of money received therefor. He shall issue to each person, firm or corporation licensed as aforesaid a certificate, stating the name of the person, firm or corporation to whom such license has been granted, the number of said license and the date of expiration of such license.

Approved March 8, 1917.

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## Chapter 24.

**An Act to Amend Section Ten of Chapter Nine of the Revised Statutes, Relating to the Employment of Assistance by the Board of State Assessors in the Reassessment of Real and Personal Property.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 9, § 10, relating to concealment of property from taxation, amended.** Section ten of chapter nine of the revised statutes is hereby amended by inserting after the word "cases" in the nineteenth line of said section the following: 'Provided a satisfactory reassessment is not made by the local assessors, then the board of state assessors may employ assistance, from within or without the town where the reassessment is to be

**CHAP. 25**

made, and said town shall bear all necessary expense incurred,' so that said section as amended shall read as follows:

**'Sec. 10. State board of assessors may employ assistance, in any local reassessment, at expense of municipality.** The board shall, at its own instance or on complaint made to it, diligently investigate all cases of concealment of property from taxation, of under valuation, and of failure to assess property liable to taxation. They shall bring to the attention of town assessors all such cases in their respective towns. They shall direct proceedings, actions and prosecutions to be instituted to enforce all laws relating to the assessment and taxation of property and to the liability of individuals, public officers, and officers, and agents of corporations for failure or negligence to comply with the provisions of the laws governing the assessment of taxation of property, and the attorney general and county attorneys, upon the written request of the board, shall institute such legal proceedings as may be necessary to carry out the provisions of this chapter. The board shall have power to order the reassessment of any or all real and personal property, or either, in any town where in the judgment of said board such reassessment is advisable or necessary to the end that all classes of property in such town shall be assessed in compliance with the law. Neglect or failure to comply with such orders on the part of any assessor or other official shall be deemed wilful neglect of duty and he shall be subject to the penalties provided by law in such cases. Provided a satisfactory reassessment is not made by the local assessors, then the board of state assessors may employ assistance, from within or without the town where such reassessment is to be made, and said town shall bear all necessary expense incurred. Any person aggrieved because of such reassessment shall have the same right of petition and appeal as from the original assessment.'

Approved March 8, 1917.

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## Chapter 25.

An Act to Amend Section One Hundred Twenty-one of Chapter Fifty-three of the Revised Statutes, Relating to Insurance Agents and Brokers.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1, R. S., c. 53, § 121, relating to licenses of insurance agents, amended.** Section one hundred twenty-one of chapter fifty-three of the revised statutes is hereby amended by striking out the words "he forfeits not more than fifty dollars for each offense," in the twelfth line and inserting in place thereof the words 'he shall be punished by a fine not exceeding two hundred dollars, or imprisonment not exceeding sixty days, for each offense,' so that said section as amended shall read as follows:

**'Sec. 121. Penalty for soliciting applications, without license, increased.** The insurance commissioner may issue a license to any person to act as an agent of a domestic insurance company, upon his filing with the commissioner a certificate from the company or association, or its authorized agent, empowering him so to act; and to any resident of the state, to act

## CHAP. 26

as an agent of any foreign insurance company, which has received a license to do business in the state as provided in section one hundred and five or section one hundred and fifty, upon his filing such certificate. Such license shall continue until the first day of the next July. If any person solicits, receives or forwards any risk or application for insurance to any company, without first receiving such license, or fraudulently assumes to be an agent and thus procures risks and receives money for premiums, he shall be punished by a fine not exceeding two hundred dollars, or imprisonment not exceeding sixty days, for each offense; but any policy issued on such application binds the company if otherwise valid. Agents of duly authorized insurance companies may place risks with agents of other duly authorized companies when necessary for the adequate insurance of property, persons or interests. An insurance agent shall be personally liable on all contracts of insurance unlawfully made by or through him, directly or indirectly, for or in behalf of any company not authorized to do business in the state. Nothing herein contained shall require a duly licensed insurance agent or broker to obtain any license for an employee doing only clerical office work in the office of said agent or broker.'

**Sec. 2, R. S., c. 53, § 122, relating to licensing insurance brokers, amended.** Section one hundred twenty-two of chapter fifty-three of the revised statutes is hereby amended by striking out the word "fifty" in the tenth line and inserting in place thereof the words 'two hundred,' so that said section, as amended, shall read as follows:

**'Sec. 122. Fine for assuming to act as insurance broker, without a license increased.** The insurance commissioner may license any person as broker to negotiate contracts of insurance for others than himself for a compensation, by virtue of which license he may effect insurance with any domestic company or its agents; or any resident of the state to negotiate such contracts and effect insurance with the agents of any foreign company who have been licensed to do business in this state as provided in sections one hundred and five and one hundred and twenty-one, but with no others; said license shall remain in force one year unless revoked as hereinafter provided. Whoever, without such license, assumes to act as such broker, shall be punished by a fine not exceeding two hundred dollars, or by imprisonment not more than sixty days for each offense. The insurance commissioner, after reasonable notice, may revoke the license of any agent or broker for violation of the insurance laws; or the license of any agent upon receipt of written request therefor from the company filed in the office of said commissioner.'

Approved March 8, 1917.

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## Chapter 26.

An Act to Amend Section Thirty-five of Chapter Sixty-eight of the Revised Statutes, Relating to Powers of Special Administrators.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 68, § 35, relating to powers and duties of special administrators, amended.** Section thirty-five of chapter sixty-eight of the revised statutes

**CHAP. 27**

is hereby amended by inserting after the word "orders" in the sixth line of said section, the following words: 'and shall have such powers to vote stock owned by the deceased as the deceased would have if living, at all corporation meetings, and the authority to sell and transfer any specific rights which may have accrued to the estate of said deceased as such stockholder and the judge may authorize and direct that the business of the deceased, in whole or in part, shall for a limited time, to be determined by him, be carried on by such special administrator as a going business,' so that said section as amended shall read as follows:

**'Sec. 35. Granted special powers in business of corporation, in which deceased owned stock.** He shall collect all the goods, chattels and debts of the deceased, control and cause to be improved all his real estate, collect the rents and profits thereof, and preserve them for the executor or administrator thereafter appointed; and for that purpose may maintain suits, and sell such perishable and other goods as the judge orders; and shall have such powers to vote stock owned by the deceased as the deceased would have if living, at all corporation meetings, and the authority to sell and transfer any specific rights which may have accrued to the estate of said deceased as such stockholder and the judge may authorize and direct that the business of the deceased, in whole or in part, shall for a limited time, to be determined by him, be carried on by such special administrator as a going business; pay the expenses of the funeral and last sickness, and of his administration; debts preferred under the laws of the United States; public rates and taxes, and money due the state from the deceased; and pay to the widow, if any, and if not, to the guardian of the children under fourteen years of age, for their temporary support, such sums as the judge orders, having regard to the state and the amount of the property; and sums so paid to the widow or guardian shall be deducted, if the estate is solvent from the share of the widow or children, but if insolvent shall be considered by the judge in his allowance to them.'

Approved March 8, 1917.

## Chapter 27.

An Act to Amend Section Eighty-eight of Chapter Fifty-three of the Revised Statutes, Relating to Reserves of Fire and Marine Insurance Companies.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 53, § 88, relating to reserve fund of fire and marine insurance companies, amended.** That section eighty-eight of chapter fifty-three of the revised statutes be amended by striking out the words "a sum equal to the full amount of premiums on outstanding marine risks; together with one-half of all premiums on existing fire and inland risks" in the first, second and third lines and inserting in place thereof the words 'an amount equal to fifty per cent. of the premiums in force or the actual unearned portions of such premiums for fire risks; and for marine risks fifty per cent. of the amount of premiums written in its policies upon yearly risks and upon risks covering more than one passage not terminated, and the full

## CHAP. 28

amount of premiums written in policies upon all other marine risks not terminated' so that said section as amended shall read as follows:

**'Sec. 88. Reserve fund for marine risks reduced.** Whenever, after setting aside an amount equal to fifty per cent. of the premiums in force or the actual unearned portions of such premiums for fire risks; and for marine risks, fifty per cent. of the amount of premiums written in its policies upon yearly risks and upon risks covering more than one passage not terminated, and the full amount of premiums written in policies upon all other marine risks not terminated; the net assets of any insurance company with a specific capital, do not amount to more than three-fourths of its capital stock, the company shall by assessing the stock, restore its capital to the legal amount. Shares on which such assessment is not paid within sixty days after demand upon the owner thereof, shall be forfeited, and ordered by a vote of the directors to be sold at public auction, and seven days' notice of the sale shall be given in some daily or weekly paper published in the place where such company is located; and the proceeds of sale, after deducting expenses and the assessments due on such shares, shall be paid to the owner or his representatives; provided, that whenever the capital stock of any insurance company is impaired as aforesaid, it may, by a majority vote of the stock, at a meeting of the stockholders legally called, reduce its capital by canceling its shares pro rata to the number thereof, or it may reduce the par value of its shares, or such company may thus reduce its capital stock and also assess as hereinbefore provided; but no such company shall reduce its capital stock, as aforesaid, more than twenty per cent. thereof, nor to a sum less than one hundred thousand dollars.'

Approved March 8, 1917.

## Chapter 28.

An Act to Amend Section Fifty-five of Chapter Fifty-five of the Revised Statutes, Relating to Review by the Supreme Judicial Court of Certain Rulings of the Public Utilities Commission.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 55, § 55, relating to exceptions to ruling of public utilities commission amended.** Section fifty-five of chapter fifty-five of the revised statutes is hereby amended by adding to the second sentence thereof the words, 'provided, however, that said commission may, and shall unless it certifies that the public interest does not require it, prepare and file with said arguments and exceptions a brief or argument in support of the ruling excepted to, and for that purpose may withhold said arguments and exceptions ten days after they have been delivered to the clerk as aforesaid; and provided, further, that in all complaints and investigations instituted or prosecuted by the commission on its own motion it, as well as any persons made parties of record in support of the side in whose favor said ruling is made, shall be deemed an opposing party for the aforesaid purposes,' so that said section, as amended, shall read as follows:

## CHAP. 29

**'Sec. 55. Commission to file brief in support of its ruling excepted to. May withhold exceptions ten days.** Questions of law may be raised by alleging exceptions to the ruling of the commission on an agreed statement of facts, or on facts found by the commission, and such exceptions shall be allowed by the chairman of the commission and certified by the clerk thereof to the chief justice of the supreme judicial court with the arguments of counsel, if any have been received by him, within sixty days after such exceptions have been allowed. The party raising such questions shall, within thirty days thereafter deliver a copy of his argument to the opposing counsel, who shall within twenty days after receiving the same furnish a copy of his answer to the counsel for the moving party, who shall in turn make reply thereto within ten days thereafter, and deliver said arguments to the clerk of the commission to be forwarded with the exceptions to the chief justice; provided, however, that said commission may, and shall unless it certifies that the public interest does not require it, prepare and file with said arguments and exceptions a brief or argument in support of the ruling excepted to, and for that purpose may withhold said arguments and exceptions ten days after they have been delivered to the clerk as aforesaid; and provided, further, that in all complaints and investigations instituted or prosecuted by the commission on its own motion it, as well as any persons made parties of record in support of the side in whose favor said ruling is made, shall be deemed an opposing party for the aforesaid purposes. And such questions of law shall be considered and decided by the law court as soon as may be; or if the parties so agree of record, such questions shall be certified to the next term of the law court to be entered on the docket thereof and argued and determined according to the rules of procedure in said court. The result in either case shall be certified by the clerk of the law court to the clerk of the commission, the prevailing party to recover costs.'

Approved March 8, 1917.

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## Chapter 29.

An Act to Amend Section Twenty-eight of Chapter Sixty-four of the Revised Statutes Relating to Registration of Vital Statistics.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 64, § 28, relating to record of births and deaths by town clerks, amended.** That section twenty-eight of chapter sixty-four of the revised statutes be amended by adding after the word "burial" in the eighth line thereof the words 'or whenever the deceased person was born in any other town of this state,' and by inserting after the word "burial" in the eleventh line thereof the words 'or in which said deceased person was born as aforesaid' so that said section as amended shall read as follows:

**'Sec. 28. Certified copy of record of death of person born in another town in this state to be transmitted to clerk of said town.** The clerk of each town shall, on the first Monday of each month, make a certified copy of the record of all deaths and births recorded in the books of said town

during the previous month, whenever the deceased person, or the parents of the child born were resident in any other town in this state at the time of said death or birth, or whenever they were recently resident in any other town, or whenever the remains of any deceased person have been carried to any other town for burial or whenever the deceased person was born in any other town of this state, and shall transmit said certified copies to the clerk of the town in which said deceased person or parents were resident at or near the time of said birth or death, or to which the remains of such deceased person have been carried for burial, or in which said deceased person was born as aforesaid, stating in addition the name of the street and the number of the house, if any, where such deceased person or parents so resided, whenever the same can be ascertained; and the clerk so receiving such certified copies shall record the same in the books kept for recording deaths or births. Such certified copies shall be made upon blanks to be furnished for that purpose by the registrar of vital statistics.'

Approved March 8, 1917.

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## Chapter 30.

An Act to Amend Section One Hundred Seven of Chapter Fifty-two of the Revised Statutes, Relating to Loans by Loan and Building Associations.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 52, § 107, relating to investment of funds of loan and building associations, amended.** Section one hundred seven of chapter fifty-two of the revised statutes is hereby amended by inserting after the word "banks" in the fifteenth line thereof, the words, 'or with the approval of the bank commissioner may be loaned in whole or in part to other loan or building associations in this state', so that said section as amended shall read as follows:

**'Sec. 107. Balances may be loaned to other loan and building associations, upon approval of bank commissioner.** The board of directors shall see to the proper investment of the funds of the association, as provided in this section. After due allowance for all necessary and proper expenses, and for the withdrawal of shares, the moneys of the association shall be loaned to the members at a rate of monthly premium to be fixed by the directors, which shall in no case exceed forty cents a share. Any member may, upon giving security satisfactory to the directors, receive a loan of two hundred dollars for each share held by him, or such fractional part of two hundred dollars as the by-laws may allow. Any association may provide in its by-laws that instead of the interest and premium, a stated rate of annual interest of not less than five, nor more than eight per cent, may be charged upon the sum desired, payable in monthly instalments. Such rate shall include the whole interest and premium to be paid upon the loan. Any balance remaining unloaned to members may be invested in such securities as are legal for the investment of deposits in savings banks, or with the approval of the bank commissioner may be loaned in whole or

**CHAP. 81**

in part to other loan or building associations in this state. No loan shall be made on the gross premium plan.'

Approved March 8, 1917.

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## **Chapter 31.**

**An Act Additional to Chapter Sixty-seven of the Revised Statutes, and Increasing the Powers of Judges of Probate.**

*Be it enacted by the People of the State of Maine, as follows:*

**Judges of probate may perform official acts in vacation. Compensation.** Judges of probate may, in vacation, do such official acts as they may do without notice in term time, at the place or places of holding regular terms of court, and they may hold hearings for matters in equity and contested cases at such time and place in the county, as the judge of probate may appoint, and make all necessary orders and decrees relating thereto, and when hearings are held at other places than those fixed for holding the regular terms of court, the judge shall be allowed, in addition to his regular salary, five dollars per day and actual expenses, which shall be paid by the estate unless otherwise provided by law.

Approved March 8, 1917.

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## **Chapter 32.**

**An Act to Grant Legislative Assent to the Provisions of the Federal Aid Road Act and to Authorize the State Highway Commission to Co-operate with the Federal Government According to the Provisions of said Act.**

**Preamble.** Whereas it is necessary to obtain legislative action in order to comply with the provisions of the federal aid road act, so that the state shall receive the aid to which it is entitled, and since it is desirable and important that work upon the roads shall begin early in the season, and whereas these facts render the passage of this act immediately necessary for the preservation of the public health, peace and safety, and constitute an emergency within the meaning of the constitution; now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Rural post roads; provisions for co-operation with federal government.** The legislative assent required by section one of the act of congress approved July eleventh nineteen hundred and sixteen, (public number 156) entitled "An Act To Provide That The United States Shall Aid The States In The Construction of Rural Post Roads And For Other Purposes" is hereby given.

The state highway commission is authorized and empowered and it is hereby made their duty to make all contracts and to do all things necessary to co-operate with the United States Government in the construction and maintenance of rural post roads under the provisions of said act of congress and to submit such comprehensive plan or program of improve-



ments as will meet the regulations and requirements of the secretary of agriculture under the provisions of the said act, and the faith of the state to meet the said act of congress throughout the entire five year period covered by said act is hereby pledged. So much of the moneys accruing to the state highway fund available for expenditure in the construction and maintenance of state highways as may be necessary to secure federal funds apportioned to this state under the said act of congress, together with said federal funds, shall be expended upon the state highways.

**Sec. 2. Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved March 8, 1917.

## Chapter 33.

**An Act Additional to Chapter Forty-eight of the Revised Statutes, and giving Additional Power to Local Sealers of Weights and Measures and their Deputies.**

*Be it enacted by the People of the State of Maine, as follows:*

**Powers of local sealers of weights and measures increased.** That all local sealers of weights and measures and their deputy sealers in cities and towns shall have the same power that is given the state sealer of weights and measures and deputy state sealer by section six of chapter forty-eight of the revised statutes.

Approved March 12, 1917.

## Chapter 34.

**An Act to Amend Section Fifty-seven of Chapter Fifty-five of the Revised Statutes, Authorizing the Revision of Decrees of the Railroad Commissioners.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 55, § 57, relating to public utilities commission altering or amending its decrees, amended.** Section fifty-seven, chapter fifty-five of the revised statutes is hereby amended by inserting between the words "commission" and "and" in the fourth line thereof the words, 'or any decision, order or decree of the railroad commissioners,' so that said section, as amended, shall read as follows:

**'Sec. 57. May revise or rescind decree or orders made by railroad commissioners.** The commission may at any time upon notice to the public utility and after opportunity to be heard as provided in section forty-five, rescind, alter or amend any order fixing any rate or rates, tolls, charges or schedules or any other order made by the commission, or any decision, order or decree of the railroad commissioners, and certified copies of the same shall be served and take effect as herein provided for original orders.'

Approved March 15, 1917.

## Chapter 35.

An Act to Amend Section Eight of Chapter Fifty-eight, of the Revised Statutes, Relating to Approval of Location of Street Railroads.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 58, § 8, relating to approval by municipal officers, of location of street railroads, amended.** Section eight of chapter fifty-eight, of the revised statutes, is hereby amended by inserting in the third line thereof, between the words "same" and "as," the words, 'or of any additional locations for turnouts or spurs mentioned in section twelve' so that said section, as amended, shall read as follows:

**'Sec. 8. Public hearing necessary on application for additional location for turnouts or spurs.** Whenever any street railroad corporation is required to obtain the written approval of its proposed route and location, or of any extension of the same, or of any additional locations for turnouts or spurs mentioned in section twelve, as to streets, roads or ways, of the municipal officers of the cities and towns in which said railroad is to be constructed in whole or in part, it shall make an application in writing and such municipal officers shall order public hearing thereon, giving such notice thereof as they deem proper but in no case less than seven days. Such notice shall contain a copy of such written application and warn the legal voters of such city or town to be present and be heard thereon. After hearing and within fourteen days after the filing of such application, such municipal officers shall file their decision thereon with the clerk of the city or town who shall make due record thereof. Any contract entered into between any such street railroad corporation and such municipal officers as to the terms, conditions and obligations under which such location is approved, so far as consistent with the powers and duties of the public utilities commission under the general laws of the state, shall be valid and binding. If the municipal officers upon such written application therefor neglect to approve a route and location as to streets, roads or ways, or if they refuse to approve such a route and location, or if such route and location is not accepted by the corporation, in either case said corporation may within fourteen days after the expiration of the time for filing such decision, or within fourteen days after the filing thereof, appeal to the public utilities commission. A failure to appeal shall not bar the corporation from making a new application to municipal officers. Any person or corporation claiming to be interested may appeal to the public utilities commission within said fourteen days from any decision made by the municipal officers. In all such appeals the appellant shall file his appeal in writing in the office of the public utilities commission who shall appoint a day for a hearing thereon, and the appellant shall give such notice thereof as said commission deems reasonable and proper in order that all persons interested may have an opportunity to appear and object thereto. After hearing, the said commission shall make decision thereon and cause record thereof to be made in their office in lieu of the approval of the municipal officers. This section shall not apply to any location which has been approved by the proper municipal officers, before the twenty-sixth day of March, one thousand nine hundred and seven.'

Approved March 15, 1917.

## Chapter 36.

**An Act to Authorize the Public Utilities Commission to Require Through Routes and Joint Rates by Common Carriers for the Transportation of Persons or Property.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Public utilities commission may order connecting steam railroads to establish joint rates.** The public utilities commission may, after hearing, on a complaint or upon its own motion without complaint, require any two or more railroads operated by steam whose lines form a continuous line of transportation, or could be made reasonably so to do by the construction and maintenance of switch connection or interchange track at connecting points, to establish through routes, and joint rates, fares, charges and classifications for the transportation of property or passengers, provided there is no reasonable existing through route between the places it is desired to serve.

**Sec. 2. Commission may prescribe joint rates when railroads fail to comply.** On failure of such railroads to establish joint rates, fares, charges or classifications, as provided in the preceding section, the commission may, in the same proceeding, or in a separate proceeding involving rates, fares, charges or classifications, prescribe joint rates, fares, charges and classifications as the maximum to be exacted for the transportation by them of property or passengers, and if such companies cannot agree as to the division of rates, fares, or the conditions under which such through rates or transportation shall be established or such cars or other equipment, operated, the commission may, after due hearing, determine and prescribe the proportionate portions of such through rates, fares or charges payable to each of such companies necessary to the establishment of such through routes or transportation and the conditions under which such through routes or transportation shall be established, or the conditions under which such cars or other equipment shall be operated.

**Sec. 3. Railroad not to be required to short haul itself.** In establishing any such through route the commission shall not require any company, without its consent, to embrace in any such route substantially less than the entire length of the railroad owned, leased, operated or controlled by it, or operated in conjunction and under a common management therewith, which lies between the places to be served by such through route.

Nothing herein contained shall be construed to require, or as authorizing the commission to require, any steam railroad to "short haul" itself or to give the use of its tracks or of its terminal facilities to another carrier engaged in a like or similar business.

Approved March 15, 1917.

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## Chapter 37.

**An Act to Amend Section Thirty of Chapter Twenty-four of the Revised Statutes Relating to the Crossing of Railroad Tracks by Town Ways and Highways.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 24, § 30, relating to crossing of railroad tracks by town ways and highways, amended.** Section thirty of chapter twenty-four of the re-

**CHAP. 38**

vised statutes is hereby amended by striking out all of said section and substituting therefor the following:

**'Sec. 30. Public utilities commission may grant or refuse permission. Appeal may be taken.** Town ways and highways may be laid out across, over or under any railroad track, except that no such location shall be legal or effective, nor shall any such way be constructed, unless the public utilities commission, on application of the municipal officers of the city or town, wherein such way is located, or of the parties owning or operating the railroad, shall, upon notice and hearing, determine that such way shall be permitted to cross such track. Said commission shall have the right to refuse its said permission or to grant the same upon such terms and conditions as it may prescribe including the manner and conditions in accordance with which the way may cross such track and whether the expense of building and maintaining so much of said way as is within the limits of such railroad shall be borne by such railroad company, or by the city or town in which such way is located, or shall be apportioned between such company and city or town as may be determined by said commission. Said commission shall make a report in writing of its decision thereupon, file the same in its office and cause to be sent by mail or otherwise to each of the railroad corporations, and the municipal officers of the city or town as the case may be, interested therein, a copy of such decision. Such decision shall be final and binding upon all parties unless an appeal therefrom shall be taken and entered at the next succeeding term of the supreme judicial court, to be held in the county where the crossing is located, more than thirty days after the date of the filing of the report; and said public utilities commission shall be made a party defendant in such appeal and entitled to be heard in all subsequent proceedings had upon such appeal. The appellant shall within fourteen days from the date of the filing of such report, file in the office of the public utilities commission its reason for appeal and fourteen days at least before the sitting of the appellate court it shall cause to be served upon such other interested corporations or municipality a copy of such reasons for appeal certified by the clerk of the public utilities commission. The presiding justice at such term of court shall make such order or decree thereon as law and justice may require. Exceptions may be taken to such order or decree. The final adjudication shall be recorded as provided in section thirty-three of this chapter and a copy of such final decision sent to the public utilities commission by the clerk of the court where such final adjudication is made. Costs may be taxed and allowed to either party at the discretion of the court.'

Approved March 15, 1917.

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## **Chapter 38.**

An Act to Amend Section Thirty-four of Chapter Twenty-four of the Revised Statutes Relating to Highway Crossings of Railroads.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 24, § 34, relating to the abolishment of grade crossings, amended. Section thirty-four of chapter twenty-four of the revised stat-

utes is hereby amended by striking out of said section the first twenty words thereof and substituting therefor the following: 'Any railroad company, or the municipal officers of a city or town in which a public way crosses or is crossed by a railroad, whether such crossing be at grade or otherwise,' and by striking out the words "not at grade" in the sixth line of said section so that said section as amended shall read as follows:

**'Sec. 34. Commission may abolish or alter crossings whether at grade or not. Grade need not be eliminated.** Any railroad company, or the municipal officers of a city or town in which a public way crosses or is crossed by a railroad, whether such crossing be at grade or otherwise, may file a petition in writing with the public utilities commission alleging that public safety requires the abolishment of or an alteration in such crossing, or its approaches; or a change in the method of crossing a public way; or the closing of a crossing and the substitution of another therefor; or the removal of obstructions to the sight at such crossing and praying that the same may be ordered; whereupon said commission shall appoint a time and place for a hearing thereon after notice of not less than ten days to the petitioners, the state highway commission, the corporation, the municipality in which such crossing is situated, the owners or occupants of the land adjoining such crossing, or adjoining that part of the way to be changed in grade, and to the attorney general of the state, whose duty it shall be by himself or through the county attorney of the county wherein the crossing is located, to represent the interests of the state at such hearing. After such notice and hearing the commission shall determine what abolishment, alteration, change or removal, if any, shall be made for public safety and by whom such abolishment, alteration, change or removal shall be made. To facilitate such abolishments, alterations, changes or removals, highways and other ways may be raised or lowered or the courses of the same may be altered to permit a railroad to pass at the side thereof. For the purposes aforesaid land may be taken and damages awarded as provided for laying out highways. The commission shall determine and fix the damages sustained by any person whose land is taken and the special damages which the owner of land adjoining the public way may sustain by reason of any change in the grade of such way. The commission shall apportion such expenses and damages between the state, the town in which the crossing is located, and the corporation owning or operating the railroad which crosses such public way, and shall order twenty-five per cent thereof to be paid by the state, ten per cent thereof to be paid by the town in which such crossing is located, and the remainder thereof shall be paid by the corporation owning or operating the railroad. While the use of any way is obstructed in carrying out the foregoing provisions of this section, such temporary way shall be provided by the corporation as the commission may order; provided, however, that the commission shall not make any order upon any petition filed under the provisions of this section until they are satisfied, by investigation or otherwise, that the financial condition of the corporation owning or operating the railroad in question will enable said corporation to comply with such order, and that the probable benefit to the public will warrant said order and the probable expense resulting therefrom, and that said order can be complied with

**CHAP. 89**

without exceeding the state appropriation available therefor. The state highway commission shall have the same right of petition under this section as the municipal officers of a town or city; and in case a petition is filed by them, the municipal officers of any city or town interested in the subject matter of said petition shall be notified by the public utilities commission of the filing of such petition and given opportunity to appear and be heard thereon.'

Approved March 15, 1917.

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## Chapter 39.

An Act to Amend Section Forty-two of Chapter One Hundred Seventeen of the Revised Statutes, Providing for the Monthly Payment of Salaries of County Commissioners.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 42, relating to compensation of county commissioners, amended.** Section forty-two of chapter one hundred seventeen of the revised statutes is hereby amended by striking out the words "in quarterly payments on the first days of January, April, July and October," in the third and fourth lines of the first paragraph thereof and inserting in place thereof, 'in monthly payments on the first day of each month for the preceding month,' so that said paragraph as amended shall read as follows:

**'Sec. 42. Salaries to be paid monthly.** Each county commissioner in the several counties shall receive an annual salary from the county treasury in monthly payments on the first day of each month for the preceding month, as follows:

Androscoggin, seven hundred and fifty dollars.

Aroostook, eleven hundred dollars.

Cumberland, twelve hundred and fifty dollars.

Franklin, four hundred and fifty dollars.

Hancock, seven hundred and fifty dollars.

Kennebec, one thousand dollars.

Knox, four hundred dollars.

Lincoln, three hundred dollars.

Oxford, six hundred dollars.

Penobscot, twelve hundred dollars.

Piscataquis, five hundred dollars.

Sagadahoc, four hundred dollars.

Somerset, six hundred and fifty dollars.

Waldo, four hundred dollars.

Washington, six hundred and fifty dollars.

York, eight hundred and fifty dollars.'

Approved March 15, 1917.

## Chapter 40.

**An Act to Amend Section Two of Chapter Sixty-four of the Revised Statutes, Relating to Marriage of Feeble Minded Persons.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 64, § 2, relating to void marriages, amended.** Section two of chapter sixty-four of the revised statutes is hereby amended by inserting after the word "insane" and before the word "person" the words 'or feeble minded', so that said section as amended shall read as follows:

**'Sec. 2. Feeble minded person may not marry.** No insane or feeble minded person or idiot is capable of contracting marriage.'

Approved March 15, 1917.

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## Chapter 41.

**An Act to Amend Section Thirty-four of Chapter Sixty-eight of the Revised Statutes, Relating to Special Administrators.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 68, § 34, relating to appointment of special administrators.** Section thirty-four of chapter sixty-eight of the revised statutes is hereby amended by inserting after the word "Probate" in the fourth line of said section, the following words: 'and if for any cause other than an appeal, the judge of probate decides that it is necessary or expedient, he may at any time and place, with or without notice, appoint a special administrator,' so that said section as amended shall read as follows:

**'Sec. 34. Judge of probate may appoint, for any cause other than appeal, with or without notice.** When there is a delay in granting letters testamentary or of administration, the judge of probate may appoint a special administrator, who shall, notwithstanding any pending appeal, proceed in the execution of his duties until it is otherwise ordered by the supreme court of probate, and if for any cause other than an appeal, the judge of probate decides that it is necessary or expedient, he may at any time and place, with or without notice, appoint a special administrator; and he shall give bond, like other administrators, conditioned that he will make and return into the probate court within three months, a true inventory of all the goods, chattels, rights and credits of the deceased, which come to his possession or knowledge; and that he will truly account for them under oath, and deliver them to the person authorized to receive them. When by reason of the removal or discharge of executors or administrators, and appeals from the decrees of removal or discharge, there is no executor or administrator to act, the judge may appoint a special administrator, who shall have the same powers, and perform the same duties as other special administrators, until such appeals are disposed of and some executor or administrator may legally act.'

Approved March 15, 1917.

## Chapter 42.

An Act to Amend Section Twenty-seven of Chapter Nine of the Revised Statutes, Relating to Returns by Railroad Companies for Purposes of Taxation.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 9, § 27, relating to tax on railroads, amended.** Section twenty-seven of chapter nine of the revised statutes is hereby amended by striking out in the fourth line of said section the words "thirtieth day of June" and substituting therefor 'thirty-first day of December,' so that said section as amended shall read as follows:

**'Sec. 27. Return to be made for year ending December 31st.** The amount of such annual excise tax shall be ascertained as follows: The amount of the gross transportation receipts as returned to the public utilities commission for the year ending on the thirty-first day of December preceding the levying of such tax, shall be divided by the number of miles of railroad operated, to ascertain the average gross receipts per mile; when such average receipts per mile do not exceed fifteen hundred dollars, the tax shall be equal to one-half of one per cent of the gross transportation receipts; when the average receipts per mile exceed fifteen hundred dollars and do not exceed nineteen hundred dollars, the tax shall be equal to three-quarters of one per cent of the gross receipts, and so on increasing the rate of tax one-quarter of one per cent for each additional four hundred dollars of average gross receipts per mile or fractional part thereof; provided, that the rate in no event exceed five and one-half per cent, and in case of railroads operated exclusively for the transportation of freight, said rate shall in no event exceed three per cent. When a railroad lies partly within and partly without the state, or is operated as a part of a line or system extending beyond the state, the tax shall be equal to the same proportion of the gross receipts in the state, as herein provided, and its amount shall be determined as follows: The gross transportation receipts of such railroad, line or system, as the case may be, over its whole extent, within and without the state, shall be divided by the total number of miles operated to obtain the average gross receipts per mile, and the gross receipts in the state shall be taken to be the average gross receipts per mile, multiplied by the number of miles operated within the state.'

Approved March 15, 1917.

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## Chapter 43.

An Act to Amend Section Seventy-six of Chapter Sixteen of the Revised Statutes, Relating to the Inspection of Secondary Schools.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 16, § 76, relating to inspection of secondary schools, amended.** Section seventy-six of chapter sixteen of the revised statutes is hereby amended by striking out the words "two thousand two hundred" in the third and fourth lines thereof and substituting in place thereof the words 'four thousand' so that said section when amended shall read as follows:



## CHAP. 44

**'Sec. 76. State superintendent authorized to expend \$4,000.** All schools of secondary grade receiving state aid shall be inspected under the direction of the state superintendent of public schools, and for this purpose he shall be authorized to expend not to exceed four thousand dollars annually, which sum shall be paid from the state appropriation for the support of high schools; and he shall determine what schools are included in the classification of section seventy-three, what schools maintain the courses of study, what schools are entitled to state aid and what schools maintain approved courses for the reception of tuition scholars.'

Approved March 15, 1917.

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## Chapter 44.

**An Act to Authorize the Public Utilities Commission to Investigate any Proposed Changes in the Rates of any Public Utility, and to Suspend the same Pending Investigation.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Public utilities commission may hold public hearing to investigate proposed change of rates by public utility. May suspend rate pending hearing.** Whenever the public utilities commission receives notice of any change or changes proposed to be made in any schedule of rates filed with said commission under the provisions of law it shall have power at any time before the effective date of such change or changes, either upon complaint or upon its own motion, and after reasonable notice, to hold a public hearing and make investigation as to the propriety of such proposed change or changes. At any such hearing involving any change or changes as above specified the burden of proof to show that such change is reasonable shall be upon the public utility. After such hearing and investigation the commission may make such order with reference to any new rate, joint rate, fare, rental, toll, classification, charge, rule, regulation or form of contract or agreement proposed as would be proper in a proceeding initiated upon complaint or upon motion of the commission in any rate investigation.

Pending such investigation and order the commission may at any time within said period preceding the effective date of any such schedule, by filing with such schedule and delivering to the public utility affected thereby a statement of its reasons for said suspension, suspend the operation of such schedule or any part thereof, but not for a longer period than three months from the date of said order of suspension; provided however, that if said investigation cannot be concluded within said period of three months said commission may in its discretion extend the time of suspension for a further period of three months; and provided further that nothing in this section contained shall apply to any schedule filed with the commission and proposing any change or changes in any new rate, joint rate, fare, rental, toll, classification, charge, rule, regulation or form of contract or agreement affecting the transportation of freight.

**Sec. 2. Proposed change in freight rates.** Whenever the public utilities commission receives notice of any change or changes proposed to be made

**CHAP. 45**

in any schedule of new rates, joint rates, fares, rentals, tolls, classifications, charges, rules, regulations or forms of contract or agreement affecting the transportation of freight, and filed with said commission under the provisions of law, said commission shall have power at any time within thirty days after the effective date of such change or changes, either upon complaint or upon its own motion, and after reasonable notice, to hold a public hearing and make investigation as to the propriety of such proposed change or changes.

At any such hearing involving any change or changes as above specified the burden of proof to show that such change is reasonable shall be upon the common carrier. After such hearing and investigation the commission may make such order, within a period of not less than six months after the effective date of the schedule setting forth such change or changes with reference to any proposed new rate, joint rate, fare, rental, toll, classification, charge, rule, regulation or form of contract or agreement proposed as would be proper under existing law in a proceeding initiated upon complaint or upon motion of the commission in any rate investigation; and in cases involving an increase in an existing rate, joint rate, toll, fare, rental or charge affecting the transportation of freight, if the commission shall find that such increase is unreasonable it may, by proper order, determine and fix the maximum rate, joint rate, toll, fare, rental or charge which may thereafter be collected for the service rendered, and no rate, joint rate, toll, fare, rental or charge affecting the transportation of freight in excess thereof shall be filed within a period of one year after the making of such order; and the commission, by proper order, may require the common carrier which has filed any such increased rate, joint rate, toll, fare, rental or charge affecting the transportation of freight to refund, in such manner and under such conditions as may be prescribed by the commission, to all persons from whom charges have been collected by virtue of the schedules under investigation, any and all sums collected in excess of the rate, joint rate, toll, fare, rental or charge affecting the transportation of freight so determined and fixed by the commission as being the maximum rate, joint rate, toll, fare, rental or charge to be collected, and may require due report of the refund so made.

Approved March 16, 1917.

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## Chapter 45.

An Act to Amend Section Twenty-seven of Chapter Fifty-two of the Revised Statutes, Relating to Investment of Deposits by Savings Institutions.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 52, § 27, relating to investments of deposits of savings banks, amended. Amend section twenty-seven, chapter fifty-two of the revised statutes, sub-section first, paragraph "a," by adding after the word "Columbia" in the last line of said paragraph, the following: 'and in the bonds issued by any farm loan bank organized under authority of the United States government,' so that said paragraph as amended shall read as follows:

**'First, a: May invest in bonds of farm loan banks.** In the public funds of the United States and District of Columbia, and in the bonds issued by any farm loan bank organized under authority of the United States government.'

Approved March 16, 1917.

## Chapter 46.

An Act to Amend Section Thirty-nine, of Chapter Thirty of the Revised Statutes, Relating to the Inspection of Safe-Guards and Repairs, by Town Officers or Fire Engineers.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 30, § 39, relating to inspection of safeguards, amended.** That the last sentence in section thirty-nine of chapter thirty of the revised statutes, reading "In towns, cities and villages having an organized fire department, the duties aforesaid shall be discharged by the chief of the fire department" be stricken out and the following sentence inserted in place thereof: 'In towns, cities and villages with a population of over five thousand, having an organized fire department, the duties aforesaid shall be discharged by the board of engineers and in towns, cities and villages with a population of less than five thousand, having an organized fire department, the duties aforesaid shall be discharged by the chief of the fire department,' so that said section as amended shall read as follows:

**'Sec. 39. Inspection to be made by board of engineers, in places of 5,000 or over.** In towns or parts of towns having no organized fire department, the municipal officers shall annually make, or direct the fire inspector to make, careful inspection of the precautions and safeguards provided in compliance with the foregoing requirements, and pass upon their sufficiency as to arrangement and number, and upon their state of repair; and direct such alterations, additions and repairs as they adjudge necessary. In towns, cities and villages with a population of over five thousand, having an organized fire department, the duties aforesaid shall be discharged by the board of engineers and in towns, cities and villages with a population of less than five thousand, having an organized fire department, the duties aforesaid shall be discharged by the chief of the fire department.'

Approved March 16, 1917.

## Chapter 47.

An Act Additional to Chapter Seven of the Revised Statutes, Relating to the Purity of Elections.

*Be it enacted by the People of the State of Maine, as follows:*

**Check list to be returned to clerk within 24 hours after close of polls.** Wardens of cities and selectmen of towns, shall, within twenty-four hours after the closing of the polls in their respective polling districts, at any election, return the check list now provided by law for towns, wards, voting precincts and voting districts, to the clerk of their respective cities and

**CHAP. 48**

towns. Any person violating the provisions of this act shall be punished by fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment for thirty days.

Approved March 16, 1917.

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## Chapter 48.

An Act to Provide for Physical Connection and Certain Auxiliary Service between Steam Railroads and Electric Railroads.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Public utilities commission may require physical connection between electric and steam railroads.** Whenever it is practicable and the same may be accomplished without endangering the equipment, tracks, or appliances of either party, and whenever and wherever public convenience and interest require the same, the public utilities commission may, upon application and after reasonable notice and hearing, require the construction of physical connection between the tracks of any steam railroad company and electric railroad company (as hereinafter defined); the expense of constructing such physical connection may be apportioned by the commission in such manner as it may deem equitable, if the parties to any such petition are themselves unable to agree as to the distribution of the cost of such construction. Said commission may, upon application and reasonable notice and hearing, require any such steam railroad company to permit any electric railroad company to haul, by means of such physical connection, loaded freight cars containing what is called "carload lots" from the tracks of such steam railroad company to points along the line of said electric railroad company for unloading by the owners thereof the contents of such cars and to haul empty freight cars from the tracks of such steam railroad company onto the tracks of such electric railroad company to be loaded for shipment, and such steam railroad company shall accept each such loaded car and transport the same over its lines in accordance with the proper and lawful billing of the shipper of the contents of any such car. Provided that nothing in this act shall be construed to require through billing of freight between steam railroad companies and electric railroad companies; nor as requiring, or authorizing said commission to require any electric railroad to engage in interstate commerce.

**Sec. 2. Cars to be hauled over each other's tracks. Commission to establish regulations when corporations are unable to agree.** Whenever a physical connection has been made between the tracks of a steam railroad company and an electric railroad company, either voluntarily or by order of the public utilities commission, as provided in the preceding section, such steam railroad company or electric railroad company shall at reasonable times, for reasonable compensation, and under reasonable rules and conditions, draw over their respective tracks the merchandise and cars of the steam railroad company or electric railroad company as the case may be with which such physical connection is so established; provided such cars are of proper gauge, are in good running order, properly equipped and

loaded, and otherwise safe for transportation; provided further, if the corporations cannot agree upon the times at which, or the rules and conditions under which, cars shall be drawn, or the compensation to be paid, the public utilities commission shall upon petition of either party and notice to the other and after hearing the parties interested, determine the rate of compensation and fix such rules, conditions and periods, having reference to the convenience and interests of the corporations and of the public to be accommodated thereby. Any agreement entered into between any two or more such corporations under this section, or any order of the public utilities commission hereunder, shall at all times be subject to annulment, alteration or modification by said commission after notice and hearing.

**Sec. 3. Auxiliary service, only, intended.** Steam railroad car to be returned to junction from which received. The duties imposed upon carriers and the authority conferred upon the public utilities commission by this act shall extend only to an auxiliary service by electric railroads, and said commission shall not be authorized to require any physical connection or service herein provided for in any case where there are existing steam railroad facilities which can be with reasonable convenience used by the persons who desire the above named electric railroad service. Whenever any steam railroad freight car is hauled onto the rails of any electric railroad company, such car shall be returned to the steam railroad at the same junction point where taken without other use than that for which such car was taken. It shall be the duty of said commission in making any order for physical connection and the service herein provided for to reasonably protect each steam railroad company from "short hauling" itself. Nothing herein contained shall be construed as requiring any common carrier to give the use of its tracks or terminal facilities to another carrier engaged in like business.

**Sec. 4. Terms defined.** The term "steam railroad" or "steam railroad company" as used herein shall be construed to mean any railroad or terminal company, however chartered, using steam as its motive power. And the term "electric railroad" or "electric railroad company" as used herein shall be construed to mean any railroad or terminal company using electricity as its motive power.

Approved March 16, 1917.

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## Chapter 49.

An Act to Amend Section Forty-eight of Chapter Fifty-six of the Revised Statutes,  
Relating to Inspection of Railroads.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 56, § 48, relating to annual examination of railroads, and reports thereon, amended.** Section forty-eight of chapter fifty-six of the revised statutes is hereby amended by striking out all of said section and substituting therefor the following:

**'Sec. 48. Commission may appoint competent person to make examination. Inspection to be made annually, date not specified.** The public util-

**CHAP. 50**

ities commission, or one member thereof, or some competent person by said commission duly appointed, annually, and at any other time on application or whenever they think necessary, shall carefully examine the tracks, rolling-stock, bridges, viaducts, and culverts of all railroads; and shall annually make a report to the governor of their official doings, therein stating the condition of the road and rolling-stock, with such facts as they deem of public interest or which he may require; and all persons managing railroads shall give the commission such information as they at any time require.'

Approved March 19, 1917.

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## **Chapter 50.**

**An Act Requiring the Placing of Warning Signs at Grade Crossings.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Warning signs to be placed at grade crossings.** Within six months from the passage of this act there shall be placed and thereafterward maintained warning signs on every highway or other way within the state approaching a crossing at grade of such highway or other way and the tracks of a railroad. Such signs shall be placed on each side of such crossing at such distances as shall be determined upon by the public utilities commission and the state highway commission which two commissions are hereby required and vested with the authority of causing to be located and maintained such warning signs; provided, however, that in the compact parts of cities and towns where the conditions mentioned in revised statutes chapter fifty-seven, section seventy-nine, exist and are observed and at all other places where in the judgment of the two above named commissions such signs are unnecessary, no such warning signs need be erected.

**Sec. 2. Specifications and location.** Such signs shall consist of a disc twenty-four inches in diameter, the field thereof to be white with a black border line one inch wide, and with black perpendicular and horizontal cross lines two and one-half inches wide; the reverse side of such disc to be colored black. In each of the upper quarterings shall appear in black the letter "R" five inches high, three and one-quarter inches wide, lines one inch stroke. Such signs shall be placed in conspicuous locations beside the highway at a distance of not less than three hundred feet from the nearest rail of such crossing unless local conditions in the judgment of the two commissions named in section one hereof make it reasonable to cause such sign to be located at a lesser distance from said nearest rail.

**Sec. 3. Motor Vehicles to decrease speed when approaching.** The person controlling the movement of any self-propelled vehicle upon passing any such warning sign located more than one hundred feet from a grade crossing shall reduce the speed of such vehicle so that within a distance of one hundred feet from the nearest rail of such crossing such vehicle shall not proceed at a greater speed than ten miles per hour upon

or over such crossing. This provision shall be deemed to require a precaution in addition to those now described by law or otherwise required with reference to the duties of persons on a highway approaching a railroad grade crossing.

**Sec. 4. Penalty for violation and jurisdiction.** Any person violating the foregoing section upon conviction thereof shall be fined not less than ten dollars and jurisdiction over such offenses is hereby conferred upon municipal and police courts and trials justices within the state.

**Sec. 5. Expense borne by the state.** The expense of the erection and maintenance of each warning sign mentioned in any section hereof shall be borne by the state, bills therefor to be approved by the governor and council, and paid out of any funds not otherwise appropriated.

**Sec. 6. Penalty for destruction or defacement.** Any person who unlawfully removes, throws down, injures or defaces any such warning sign, shall be fined therefor not less than ten dollars; and jurisdiction over such offenses is hereby conferred on each trial justice and municipal or police court judge, recorder and clerk, in the state.

Approved March 19, 1917.

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## Chapter 51.

An Act to Amend Section One Hundred Seventeen of Chapter Sixteen of the Revised Statutes, Relating to the Employment of Agents for Schools in Unorganized Townships.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 16, § 117, relating to employment of school agents in unorganized townships, amended. Section one hundred seventeen of chapter sixteen of the revised statutes is hereby amended by striking out the words "two thousand two hundred" in the ninth line thereof and substituting in place thereof the words 'three thousand' so that said section when amended shall read as follow:

'Sec. 117. State superintendent may expend \$3,000. The state superintendent of public schools may appoint agents for the several townships in which schools shall be established under section one hundred and fifteen, who shall, under the direction of the state superintendent, enumerate the pupils, assess and collect the per capita tax, employ the teacher and attend to all necessary details in connection with said school; for which purpose the state superintendent is hereby authorized to expend annually from the appropriation for the support of schools in unorganized townships a sum not exceeding three thousand dollars. Said agents in the collection of the per capita tax aforesaid, shall have the same powers and may use the same methods as collectors of taxes in towns are authorized to exercise and use for the collecting of personal and poll taxes committed to them; said agents may act as truant officers in their several townships, and may in their discretion compel the regular daily attendance at school of every child in their townships between the seventh and seventeenth anniversaries of his birth by arresting and taking to school any

**CHAP. 52**

child when absent therefrom, and any parent or guardian of any such child or children, wilfully refusing to allow said children under his control to attend school or opposing said agent in arresting and taking said children to school, may be prosecuted by said agent in the name of the state before the nearest trial justice, and if found guilty shall forfeit a sum not exceeding twenty dollars for the use of the schools in the township wherein said children are residents, or shall be imprisoned for not exceeding thirty days. The state superintendent may supply school books for the schools established under said sections under such conditions as to the purchase and care thereof as he may deem proper.'

Approved March 19, 1917.

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## Chapter 52.

An Act to Amend Section Three of Chapter Ten of the Revised Statutes Defining what Constitutes Real Estate for the Purposes of Taxation.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 10, § 3, relating to real estate for purposes of taxation, amended.** Section three of chapter ten of the revised statutes is hereby amended by inserting after the word "taxation" in the ninth and tenth lines of said section the words 'also transmission lines of electric light and power companies' so that said section as amended shall read as follows:

**'Sec. 3. Transmission lines of electric light and power companies to be taxed as real estate.** Real estate, for the purposes of taxation, except as provided in section six, includes all lands in the state, together with the water power, shore privileges and rights, forest and mineral deposits appertaining thereto, and all buildings erected on or affixed to the same, and all townships and tracts of land, the fee of which has passed from the state since the year eighteen hundred fifty, and all interests in timber upon public lands derived by permits granted by the commonwealth of Massachusetts; interest and improvements in land, the fee of which is in the state; and interest by contract or otherwise in land exempt from taxation; also transmission lines of electric light and power companies. There shall be a lien to secure the payment of all taxes legally assessed on real estate as defined in this section, which shall take precedence of all other claims on said real estate and interests, and shall continue in force until said taxes are paid.'

Approved March 22, 1917.

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## Chapter 53.

An Act to Amend Section Twenty-four of Chapter Twenty-six of the Revised Statutes, Relating to the Registration of Manufacturers and Dealers in Motor Vehicles.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 26, § 24, relating to dealers' registration of motor vehicles, amended.** Section twenty-four of chapter twenty-six of the revised stat-



## CHAP. 54

utes is hereby amended by striking out the words "and all motor vehicles (automobiles and motor trucks) owned and controlled by such manufacturer or dealer shall until sold, or exchanged be regarded as registered under such general distinguishing number or mark. The annual fee for every certificate of registration to purchase, demonstrate, sell and exchange automobiles and auto trucks, shall be twenty-five dollars," in the ninth, tenth, eleventh, twelfth, thirteenth and fourteenth lines of said section, and inserting in place thereof the following words: 'And all motor vehicles (automobiles and motor trucks) owned or controlled by such manufacturer or dealer shall be regarded as registered under such general distinguishing number or mark until sold, exchanged, let for hire, or loaned for a period of more than five successive days. The annual fee for every such certificate of registration shall be twenty-five dollars,' so that said section as amended shall read as follows:

**'Sec. 24. Motor vehicles may be let for hire or loaned for a period of five days, under dealers' license.** Every manufacturer of or dealer in motor vehicles (automobiles or auto trucks) may instead of registering each motor vehicle owned or controlled by him, make application upon a blank provided by the secretary of state, for a general distinguishing number or mark and said secretary may, if satisfied with the facts stated in the application, grant the application and issue to the applicant a certificate of registration, containing the name, place of residence and address of the applicant and the general distinguishing number or mark assigned to him or them and made in such form as the secretary of state may determine; and all motor vehicles (automobiles and motor trucks) owned or controlled by such manufacturer or dealer shall be regarded as registered under such general distinguishing number or mark until sold, exchanged, let for hire, or loaned for a period of more than five successive days. The annual fee for every such certificate of registration shall be twenty-five dollars. The secretary of state shall furnish the manufacturer or dealer with five pairs of registration number plates free of cost. Extra registration plates shall be furnished to the manufacturers and dealers in automobiles and auto trucks, in addition to the five pairs of plates originally furnished, to replace lost or mutilated plates, for seventy-five cents each. Transportation charges on registration number plates shall be paid by the receiver. On applications for registration applied for by manufacturers or dealers in automobiles or motor trucks, during the period between the first day of October and the thirty-first day of December in any year, one-half of the registration fee shall be charged.'

Approved March 22, 1917.

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## Chapter 54.

An Act to Prevent Defacing Identification Marks on Motor Vehicles.

*Be it enacted by the People of the State of Maine, as follows:*

**Penalty for defacing identification marks on motor vehicles. Term defined in c. 26, § 15.** Whoever knowingly buys, sells, receives, disposes

**CHAP. 55**

of, conceals or has in his possession any motor vehicle, as defined in section fifteen of chapter twenty-six of the revised statutes, from which the manufacturer's serial number or any other distinguishing number or identification mark has been removed, defaced, covered, altered or destroyed for the purpose of concealment or misrepresenting the identity of the said motor vehicle, shall be fined not more than two hundred dollars or imprisoned not more than six months, or both.

Approved March 22, 1917.

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## Chapter 55.

An Act to Amend Sections Five and Forty of Chapter Five of the Revised Statutes, Relating to Boards of Registration of Voters.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1, R. S., c. 5, § 5, relating to boards of registration of voters, amended.** Section five of chapter five of the revised statutes is hereby amended by striking out the words "thirty-five hundred" in the second, fifth and tenth lines thereof respectively, and inserting in place thereof the words 'three thousand'; so that said section as amended shall read as follows:

**'Sec. 5. Boards to be maintained in cities of 3,000.** In each city of the state having three thousand or more inhabitants, a board of registration appointed as provided in the following section shall have exclusive power and authority to make up, correct and revise the list of voters in each of said cities. In all cities having less than three thousand inhabitants, the municipal officers shall make such list, exercising the same powers and being governed by the same laws as municipal officers of towns having five hundred or more registered voters; provided that no city having a board of registration shall be deprived of said board of registration by reason of the population thereof becoming less than three thousand.'

**Sec. 2. R. S., c. 5, § 40, relating to correction of voting list in towns and small cities, amended.** Section forty of said chapter five of the revised statutes is hereby amended by striking out the words "thirty-five hundred" in the third line thereof and inserting in place thereof the words 'three thousand'; so that said section as amended shall read as follows:

**'Sec. 40. Municipal officers to supervise lists in cities of less than 3,000.** In all towns, cities not included, having five hundred or more registered voters, and in all cities having less than three thousand inhabitants, the municipal officers shall receive applications of persons claiming a right to vote, on the three secular days next preceding the day of election, and no application shall be received after the hour of five in the afternoon on the secular day next preceding the day of election; and no names shall be added to the list of voters on the day of election, by certificate or otherwise, except such as were upon the list used at the

**CHAP. 56**

last preceding election, and have been inadvertently omitted by the selectmen; and on that day no change shall be made in names except to correct clerical errors therein.'

Approved March 22, 1917.

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## Chapter 56.

**An Act to Amend Section Twenty-one of Chapter Eighty-three of the Revised Statutes, Relating to the Authority of County Commissioners to Procure Temporary Loans.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 83, § 21, relating to authority of Cumberland and Kennebec counties to procure temporary loans, amended.** Section twenty-one of chapter eighty-three of the revised statutes is hereby amended by adding to said section the following: 'The county commissioners of each and every other county may under the same conditions make temporary loans not exceeding one-tenth of one per cent. of the assessed valuation of their respective counties,' so that said section, as amended, shall read as follows:

**'Sec. 21. Other county commissioners may make loans not to exceed one-tenth of one per cent. of valuation.** The county commissioners of Cumberland and Kennebec counties may, without obtaining the consent of their respective counties, raise, by temporary loan to be paid within one year from the time when the same is contracted, sums not exceeding seventy-five thousand dollars and fifty thousand dollars respectively, in any year for use of their respective counties, and cause notes or obligations of their respective counties with coupons for lawful interest to be issued for payment thereof as aforesaid. The county commissioners of each and every other county may under the same conditions make temporary loans not exceeding one-tenth of one per cent. of the assessed valuation of their respective counties.

Approved March 22, 1917.

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## Chapter 57.

**An Act to Require Cities and Towns to Decorate the Graves of Veteran Soldiers and Sailors, and Authorizing the Appropriation of Money for that Purpose.**

*Be it enacted by the People of the State of Maine, as follows:*

**Towns required to decorate graves of soldiers and sailors.** Each and every city, town and plantation by its town or plantation officers, is hereby required to decorate the graves of veterans (soldiers and sailors) with an American flag and such other floral decorations as in the opinion of said town, city or plantation officers shall be deemed advisable, on Decoration Day, May thirtieth of each year. Each and every said city, town and plantation is hereby empowered to raise by taxation a sufficient amount of money to pay for said American flags and other floral decorations above mentioned.

Approved March 22, 1917.

## Chapter 58.

An Act to Amend Paragraph Six and Paragraph Seven of Section Ninety-eight of Chapter Four of the Revised Statutes, Relating to By-laws of Towns, Cities and Villages.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 4, § 98, par. 6, relating to municipal ordinances, amended.** Paragraph six of section ninety-eight of chapter four of the revised statutes is hereby amended by striking out the words, "keeping them clear of snow and other obstructions" in the first and second lines thereof, and inserting after the word "thereof" in the second line of said paragraph the words, 'and for providing for the removal of snow and ice from such sidewalks within the limits of highways and townways to such extent as they deem expedient; the penalty for violation of such by-laws shall apply to the owner or occupant of abutting property or the agent having charge thereof and for', so that said paragraph as amended shall read as follows:

**'VI. Penalty for violation may be imposed upon owners or agents of abutting property.** For setting off portions of their streets for sidewalks and for regulating the use thereof, and for providing for the removal of snow and ice from such sidewalks within the limits of highways and townways to such extent as they deem expedient; the penalty for violation of such by-laws shall apply to the owner or occupant of abutting property or the agent having charge thereof, and for planting and preserving trees by the side thereof, and for the proper protection and care of public parks and squares within the same and all monuments, statues and erections thereon.'

**Sec. 2, R. S., c. 4, § 98, par. 7, amended.** Paragraph seven of section ninety-eight of chapter four of the revised statutes is hereby amended by inserting after the word "hydrant" in the third line of said paragraph the words 'the maintenance and operation of sidewalk tanks and pumps for the sale or distribution of gasoline or other volatile inflammable liquid for fuel or power, supporting posts for any awning, marquee or other temporary or permanent structure over the street or sidewalk', so that said paragraph as amended shall read as follows:

**'VII. Gasoline tanks, etc. included.** Respecting the location and protection of monuments, boundary stones, curb-stones, stepping-stones or horse-blocks, trees, lamp posts, posts and hydrants, the maintenance and operation of sidewalk tanks and pumps for the sale or distribution of gasoline or other volatile inflammable liquid for fuel or power, supporting posts for any awning, marquee or other temporary or permanent structure over the street or sidewalk and all other things placed within the limits of their roads, ways and streets, by municipal authority and for legitimate municipal purposes; and no such objects placed as aforesaid, if located in accordance with such by-laws and ordinances, shall be deemed defects in such road, way or street.'

Approved March 22, 1917.

## Chapter 59.

An Act to Amend Sections Fifty-one and Fifty-two of Chapter Four of the Revised Statutes, Relating to the Payment by the State of the Burial Expenses of Honorably Discharged Soldiers and Sailors.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 4, § 51, relating to burial expenses of destitute soldiers and sailors, amended.** Section fifty-one of chapter four of the revised statutes is hereby amended by inserting in the second line thereof after the word "who" the word 'has', and striking out in the third and fourth lines thereof the words "during the war of eighteen hundred and sixty-one or during the war with Spain, or during the war with Mexico" and by striking out in the eighth and ninth lines thereof the words "during the war of eighteen hundred and sixty-one or during the war with Spain, or during the war with Mexico," so that said section as amended shall read as follows:

**'Sec. 51. All persons honorably discharged from army, navy or marine corps of United States included.** Whenever any person who has served in the army, navy or marine corps of the United States and was honorably discharged therefrom, shall die, being at the time of his death a resident of this state and in destitute circumstances, the state shall pay the necessary expenses of his burial; or whenever the widow of any person who served in the army, navy or marine corps of the United States and was honorably discharged therefrom shall die, being at the time of her death a resident of this state and being in destitute circumstances and having no kindred living within this state and of sufficient ability legally liable for her support, the state shall pay the necessary expenses of her burial; such expenses shall not exceed the sum of thirty-five dollars in any case, and the burial shall be in some cemetery not used exclusively for the burial of the pauper dead.'

**Sec. 2. R. S., c. 4, § 52, relating to reimbursement of towns amended.** Section fifty-two of chapter four of the revised statutes is hereby amended by striking out in the eleventh line thereof the words "a certificate" and substituting therefor the word 'certificates,' and inserting after the word "the" the following words, 'adjutant general of the state and the,' so that said section as amended shall read as follows:

**'Sec. 52. Adjutant general to furnish certificates.** The municipal officers of the city or town in which such deceased resided at the time of his death, shall pay the expenses of his burial, and if he die in an unincorporated place, the town charged with the support of paupers in such unincorporated place, shall pay such expenses, and in either case upon satisfactory proof by such town or city to the governor and council of the fact of such death and payment, the governor shall authorize the treasurer of state to refund said town or city the amount so paid, provided, however, that the person whose burial expenses are paid in accordance with the provisions of this section and the preceding section shall not be constituted a pauper thereby; said proof shall contain certificates from the ad-

**CHAP. 60**

jutant general of the state and the post commander of the post of the Grand Army of the Republic, located nearest the town or city which paid said burial expenses, stating that such person was an honorably discharged soldier or sailor and in destitute circumstances, or the widow of an honorably discharged soldier or sailor and in destitute circumstances, and having no kindred of sufficient ability, resident in this state legally liable for her burial expenses.'

Approved March 22, 1917.

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## Chapter 60.

An Act to Amend Section One Hundred Ten of Chapter Sixteen of the Revised Statutes, Relating to Teachers' Associations.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 16, § 110, relating to formation of teachers' associations, amended. Section one hundred ten of chapter sixteen of the revised statutes is hereby amended by inserting the words 'five hundred' after the word "thousand" in the tenth line thereof and by striking out all of said section following the word "state" in the twelfth line thereof so that said section when amended shall read as follows:

'Sec. 110. \$1,500 for expenses of county conventions. Prohibition as to number of conventions and associations in each county repealed. Whenever not less than thirty of the teachers and school officers of any county shall have formed an association under rules of government approved by the state superintendent of public schools, for the purpose of mutual improvement in the science and art of teaching, and of creating popular interest in, and diffusing a knowledge of the best methods of improving our public school system, by the holding of conventions at least once every year under the supervision of the state superintendent, the state shall defray the necessary expenses attending the holding of such conventions, for which purpose the sum of one thousand five hundred dollars is hereby annually appropriated to be deducted and set aside therefor by the treasurer of state from the annual school fund of the state.'

Approved March 22, 1917.

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## Chapter 61.

An Act to Amend Section Eight of Chapter Forty-eight of the Revised Statutes, Relating to Local Sealers of Weights and Measures.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 48, § 8, relating to local sealers of weights and measures, amended. Section eight of chapter forty-eight of the revised statutes is hereby amended so that said section eight shall read as follows:

'Section 8. Municipal officers to elect for indefinite term. Removable only for neglect. State sealer to have jurisdiction. The municipal officers of each town shall elect a sealer of weights and measures, also a

## CHAP. 62

deputy sealer if necessary, not necessarily a resident therein, and said sealer and deputy shall hold office during their efficiency and the faithful performance of their duties and shall be removed by said officers only for neglect of duty. The state sealer of weights and measures shall have jurisdiction over said sealer or deputy sealer, and any vacancy caused by death or resignation shall be filled by election by said municipal officers within thirty days; for each month that said municipal officers neglect their duty they severally shall forfeit ten dollars. Within ten days after each such election the clerk of each city or town shall communicate the name of the person so elected to the state sealer of weights and measures, and for neglect of this duty shall forfeit ten dollars. Such sealer of weights and measures in any town may be sealer for several towns if such is the pleasure of the municipal officers therein, provided such action received the approval of the state sealer of weights and measures.'

Approved March 22, 1917.

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## Chapter 62.

An Act to Amend Section Fourteen of Chapter Sixteen of the Revised Statutes, to Provide for the Approval of Plans for the Reconstruction or Remodeling of School Buildings.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 16, § 14, relating to heating, lighting and ventilating school buildings, amended.** Section fourteen of chapter sixteen, revised statutes, is hereby amended by inserting after the word "building" in the sixth line thereof the words 'and plans for the reconstruction or remodeling of any school building, the expense for which shall exceed five hundred dollars' and by inserting after the word "erect" in the last line thereof the words 'reconstruct or remodel,' so that said section, when amended, shall read as follows:

**'Sec. 14. Plans for reconstruction, when expenditure is over \$500, to be approved.** Where the plans and specifications prepared by the state superintendent are not used, all superintending school committees of towns in which new schoolhouses are to be erected, shall make suitable provision for the heating, lighting and ventilating and hygienic conditions of such buildings, and all plans and specifications for any such proposed school building and plans for the reconstruction or remodeling of any school building, the expense for which shall exceed five hundred dollars, shall be submitted to and approved by the state superintendent of public schools and the state board of health before the same be accepted by the superintending school committee or school building committee of the town in which it is proposed to erect, reconstruct or remodel such building.'

Approved March 22, 1917.

## Chapter 63.

An Act to Amend Section One Hundred Twenty-five of Chapter Fifty-three of the Revised Statutes, Relating to Special Insurance Brokers.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 53, § 125, relating to licensing state agents to procure insurance in foreign companies, amended. That section one hundred twenty-five of chapter fifty-three of the revised statutes be amended by striking out the whole thereof and inserting the following:

'Sec. 125. Affidavit that necessary amount of insurance cannot be obtained in state not necessary; licensee's bond to be approved by commissioner instead of governor and council; amount increased. The insurance commissioner may annually issue licenses to citizens of this state, already agents of one or more duly authorized fire insurance companies, subject to revocation at any time, permitting the person named therein to procure policies of fire insurance on property in this state in foreign insurance companies not authorized to transact business in this state. The person named in such a license shall in each case make application to the insurance commissioner setting forth his reasons for desiring to insure the particular risk with companies not authorized in Maine, and said commissioner shall, if he deems it advisable, grant permission to procure such insurance. He shall give notice to the insurance commissioner not later than five days after the risk is insured, giving the name of the owner, location of the property, name of the company or companies issuing policies thereon. In case the insurance commissioner finds that any company named by a special broker under the provisions of this act is not financially sound and is not believed to be a responsible and reliable company he shall so notify the special broker who shall forthwith substitute another company, submitting the name of the substitute company to the insurance commissioner for approval. Each person so licensed shall keep a separate account of the business done under the license which shall be open to the inspection of the insurance commissioner or his representative. He shall monthly file with the insurance commissioner a statement showing the amount of insurance placed for any person, firm or corporation, the location of each risk, the gross premium charged thereon, the companies in which the insurance is placed, the date of the policies and the term thereof and such further information as the insurance commissioner may require. He shall also report in the same detail all policies canceled during the month covered by the report showing the return premiums thereon. Before receiving such license he shall execute and deliver to the treasurer of state a bond in the penal sum of one thousand dollars, with such sureties as the insurance commissioner shall approve, with a condition that the licensee will faithfully comply with all the requirements of this section, and will file with the treasurer of state, in January of each year, a sworn statement of the gross premiums charged for insurance procured or placed and the gross returned premiums on such insurance canceled under such license during the year ending on the thirty-first day of December next preceding, and at the time of filing such statement will pay into the treasury of state a sum equal to two per cent of such gross premiums, less such returned premiums so reported.'

Approved March 22, 1917.



## Chapter 64.

An Act to Amend Section One Hundred Forty-six of Chapter Sixteen of the Revised Statutes, Relating to the Annual Appropriation for the Support of Normal and Training Schools.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 16, § 146, relating to support of normal schools, amended. Section one hundred forty-six of chapter sixteen of the revised statutes is hereby amended by striking out the word "ninety" in the third line thereof and substituting therefor the words 'one hundred ten' so that said section when amended shall read as follows:

'Sec. 146. Annual appropriation increased to \$110,000. For the support of the five normal schools and the Madawaska Training School, the sum of one hundred ten thousand dollars is annually appropriated, to be expended under the direction of said trustees, which sum the treasurer of state shall deduct for said purpose from any school money raised for the support of common schools. The governor and council may from time to time, as they think proper, draw warrants therefor on said treasurer in favor of said trustees.'

Approved March 22, 1917.

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## Chapter 65.

An Act to Amend Section One Hundred Eighteen of Chapter Sixteen of the Revised Statutes, Relating to the Annual Appropriation for Schooling of Children in Unorganized Townships.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 16, § 118, relating to appropriation for schooling in unorganized townships, amended. Section one hundred eighteen of chapter sixteen of the revised statutes is hereby amended by striking out the word "twenty-five" in the second line thereof and substituting therefor the word 'twenty-seven' so that said section when amended shall read as follows:

'Sec. 118. Annual appropriation increased to \$27,000. For the purpose of carrying out the provisions of the three preceding sections, there is hereby appropriated the sum of twenty-seven thousand dollars annually, which sum shall be deducted and set aside therefor by the treasurer of state from the annual school funds of the state.'

Approved March 22, 1917.

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## Chapter 66.

An Act to Provide for a Non-Resident Fishing License.

*Be it enacted by the People of the State of Maine, as follows:*

Sec. 1. Non-resident fishermen, over 14 years of age, must be licensed. Form and fee. How licenses may be procured. Persons not bona fide residents of the state, and not actually domiciled therein, except children under

**CHAP. 66**

fourteen years of age, shall not fish for, take, catch or kill any kind of fish at any time in any of the inland waters of the state, or have the same or any part thereof in possession, without first having procured a license therefor as hereinafter provided. Such licenses shall be of such form and style as may be prescribed by the commissioners of inland fisheries and game, and shall be issued by town clerks and other agents appointed by said commissioners under such regulations as may be established by said commissioners, upon application in writing on blanks to be furnished by said commissioners and payment of a fee of two dollars and fifteen cents.

**Sec. 2. Licensee given authority to transport fish.** All licenses issued by virtue of this act shall expire with the calendar year in which issued and shall entitle the purchaser thereof to take fish in the inland waters of this state and transport the same during the period covered by said license in accordance with the laws of the state. The purchaser of a license to fish by virtue of this act may offer for transportation and have transported in accordance with the provisions of chapter thirty-three of the revised statutes fish which he has legally in possession by exhibiting his license to the agent of a transportation company, who shall endorse upon the back thereof, in ink, the name of the station from which said shipment is made, the date of shipment, the destination and weight of each kind of fish shipped, and such shipment shall have affixed thereto a tag plainly marked with the name and address of the shipper, the license number and the kind and weight of such fish. If a license is presented with a consignment of fish and the endorsement on such license shows that the holder of the license is not authorized by law to offer such fish for shipment, such agent shall refuse to accept the same for shipment.

**Sec. 3. Violation of fish and game laws, cause for revocation of license.** The commissioners of inland fisheries and game may temporarily revoke any license issued by virtue of this act when the holder thereof is charged with having violated any of the inland fish and game laws of this state, and if the holder is convicted of a violation of the inland fish and game laws of this state his license may be fully revoked and another license shall not be issued to such person until after a year from the time of revocation except upon written consent of the commissioners of inland fisheries and game.

**Sec. 4. Must have license on person when fishing, or having fish in possession.** No person to whom a license has been issued as herein provided, shall fish for, take, catch, kill, have in possession, transport or offer for transportation any inland fish unless at the time of such fishing for, taking, catching, killing, having in possession, transporting or offering for transportation inland fish such person has such license on his person. Such person shall exhibit such license, on demand, to any officer authorized to enforce the inland fish and game laws.

**Sec. 5. Town clerks and agents to make monthly report and remittance to commissioners. Penalty for neglect.** Every town clerk or agent appointed to issue licenses as provided in this act shall on the first Monday of each month forward to the commissioners of inland fisheries and game

the amount received, if any, for such licenses issued during the preceding month, less a recording fee of fifteen cents for each license issued, together with the application for and stub of each license issued. Any town clerk or agent appointed to issue licenses by virtue of this act who shall neglect or refuse to issue such licenses under regulations established by the commissioners of inland fisheries and game, or who shall neglect or refuse to remit for licenses issued by virtue of this act within a period of thirty days from the first Monday of each month shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars and costs for each offense.

**Sec. 6. Fees to be deposited by commissioners with state treasurer. Fund to be used for propagation and protection of inland fish.** All license fees collected by virtue of this act shall be paid by the commissioners of inland fisheries and game to the state treasurer and shall be set apart as a fund to be expended by said commissioners, with the approval of the governor and council, for the propagation and protection of inland fish in this state, and said commissioners are hereby authorized to receive and expend said moneys in the manner and purposes as herein specified; provided, however, that in case of a failure to convict in any prosecution for any violation of any provision of this act, the costs of said prosecution shall be paid out of the fund created by this act.

**Sec. 7. Fishing gear in possession prima facie evidence of violation.** The possession of any fishing tackle in the fields or forests or on the waters or ice of the state by any non-resident required to be licensed by virtue of this act, unless the person having such fishing tackle in possession has in his possession a fishing license, as herein provided, duly issued to him and covering the period the fishing tackle is found in his possession, shall be prima facie evidence of fishing in violation of this act.

**Sec. 8. Penalty for violation or alteration of license. Licenses not transferable.** Whoever violates any provision of sections one, two, four, or seven of this act, or who shall furnish to another person or permits another person to have or use any license issued to him, or changes or alters the same in any manner, or who has or uses any license issued to another person, or whoever knowingly guides any non-resident for inland fishing who has not a license for fishing as herein provided, shall pay a fine of not less than ten or more than thirty dollars and costs for each offense and one dollar additional for each fish taken, caught, killed, had in possession or transported in violation of any provision of this act.

**Sec. 9. Application.** The provisions of this act shall not apply to the taking or transportation of fish under the provisions of section twenty-seven of chapter thirty-three of the revised statutes.

## Chapter 67.

An Act to Amend Section Seventy-five of Chapter Sixteen of the Revised Statutes Relating to the Payment of Tuition by Towns not Maintaining Standard Schools of Secondary Grade.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 16, § 75, relating to obligation of towns to pay tuition, amended. Section seventy-five of chapter sixteen of the revised statutes is hereby amended by inserting after the word "school" in the sixth line thereof the following words: 'or of a school of equal grade,' so that said section when amended shall read as follows:

'Sec. 75. Pupil entitled to tuition upon completion of two years course in school of equal grade with class B. A town, precinct or union maintaining a high school, as provided in class A of section seventy-three, shall not be obliged to pay tuition under sections eighty-five and eighty-six of this chapter. A town, precinct or union maintaining a high school, as provided in class B of section seventy-three shall not be obliged to pay tuition for any pupil until he has completed the first two years of the course of the class B school, or of a school of equal grade, and for only two years of subsequent work. A town, precinct or union maintaining a high school, as provided in class C of section seventy-three, shall be obliged to pay tuition for such portion of a four years course as may be determined by the state superintendent of public schools.'

Approved March 22, 1917.

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## Chapter 68.

An Act to Amend Section Twenty-four of Chapter Five of the Revised Statutes, Relating to the Challenging of the Right of a Person to Vote.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 5 § 24, relating to challenge of person's right to vote, amended. Section twenty-four of chapter five of the revised statutes is hereby amended by inserting after the word "ward," in the sixth line of said section the words 'and upon such ballot so challenged, witnessed by two election officers representing two different parties,' so that said section when amended shall read as follows:

'Sec. 24. Note of challenge to be made upon ballot. Any qualified elector in said cities may challenge the right of any person to vote in any ward of said cities at any election held therein and shall be given the opportunity by the presiding officer thereof, to make such challenge, and such presiding officer shall note the fact of such challenge upon the voting list used in such ward, and upon such ballot so challenged, witnessed by two election officers representing two different parties. But before permitting a person so challenged to vote the warden shall cause him to state his place and date of birth; occupation; place of business; whether married or single; if married, the name and residence of his

wife; how long a resident of the city, and where his last vote was cast, which answers shall be reduced to writing on blanks furnished for that purpose by the city clerk, and signed by the voter, whose signature shall be witnessed by two election officers representing two different parties. The warden shall promptly return all such records to the city clerk who shall keep them on file for public inspection for one year. Any failure to comply with the provisions of this section shall be a misdemeanor and be punishable as provided in section twenty-nine of this chapter.'

Approved March 23, 1917.

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## Chapter 69.

An Act to Amend Section Nineteen of Chapter Five of the Revised Statutes, Relating to the Sessions of the Boards of Registration in Cities with over Thirty-five Thousand Inhabitants.

*Re it enacted by the People of the State of Maine, as follows:*

R. S., c. 5, § 19, relating to procedure of boards of registration, amended. Section nineteen of chapter five of the revised statutes is hereby amended by adding after the first sentence thereof, 'and in cities of not less than thirty-five thousand inhabitants said board shall be in session the sixty secular days prior to any state or municipal election; on the first twenty of said days said boards shall be in session from nine o'clock in the forenoon to one o'clock in the afternoon, and from three o'clock to five o'clock in the afternoon, and on the next ten secular days the said boards shall be in session from nine o'clock in the forenoon to one o'clock in the afternoon and from three o'clock to five o'clock in the afternoon, and from seven to nine o'clock in the afternoon, to receive evidence and to determine the qualifications and rights of registration of voters therein, and to revise and correct the voting lists; and on the latter thirty of said sixty secular days said boards shall be in session to enable said boards to verify the correctness of the voting lists and to close up the records of said boards, and to hear and determine the right of any person, whose right has been challenged, to have his name added to or remain on said list or be stricken from the same. In cities of not less than thirty-five thousand inhabitants registration prior to any presidential election shall be held during the days and hours fixed by this section for the registration of voters for the municipal election next following,' so that said section when amended shall read as follows:

'Sec. 19. Procedure in cities of not less than 35,000. Date and hours of holding sessions. Said boards of registration shall be in session from nine in the forenoon to one o'clock in the afternoon, and from three to five o'clock in the afternoon, and from seven to nine o'clock in the afternoon, in cities of not less than nineteen thousand inhabitants, on each of the twelve secular days next prior to any election; on the first nine of said secular days, to receive evidence touching the qualifications of voters therein, and to revise and correct the voting lists, and on the latter three of said secular days, to enable the board to verify the correctness

## CHAP. 69

of said lists and to complete and close up its records of said sessions, and in cities of not less than thirty-five thousand inhabitants said board shall be in session the sixty secular days prior to any state or municipal election; on the first twenty of said days said board shall be in session from nine o'clock in the forenoon to one o'clock in the afternoon, and from three o'clock to five o'clock in the afternoon, and on the next ten secular days the said boards shall be in session from nine o'clock in the forenoon to one o'clock in the afternoon and from three o'clock to five o'clock in the afternoon, and from seven to nine o'clock in the afternoon, to receive evidence and to determine the qualifications and rights of registration of voters therein, and to revise and correct the voting lists; and on the latter thirty of said sixty secular days said boards shall be in session to enable said boards to verify the correctness of the voting lists and to close up the records of said boards, and to hear and determine the right of any person, whose right has been challenged, to have his name added to or remain on said list or be stricken from the same. In cities of not less than thirty-five thousand inhabitants registration prior to any presidential election shall be held during the days and hours fixed by this section for the registration of voters for the municipal election next following. And in all other cities, for the same purpose, and at the same hours on each of the five secular days next prior to any election, the first four thereof to be devoted to registration as above, and the last one of said secular days to enable the board to verify the correctness of said lists and to complete and close up its records of said sessions. And on the last of said secular days, at five o'clock in the afternoon, certified copies of said voting lists shall be delivered to the clerks of said cities and receipts taken therefor, except that on the last of said days devoted to registration and on the last of said days devoted to the records as above, the sessions of the board shall close at five o'clock in the afternoon, but no name shall be added to or stricken from said lists after five o'clock in the afternoon of the last of said days devoted to registration as above. Said board shall not place upon said lists during said revision of the same, the name of any person who shall not personally appear before said board and request it, and during said time said board shall revise and correct the voting lists. Nothing in this chapter shall be so construed as to require any voter, whose name is already upon any ward list and who afterwards moves from said ward to any other ward in said city, to appear personally before said board during the revision of the list in order to transfer his name from one ward list to another. The wardens of cities shall be governed by said revised and corrected lists; and no names shall be added to or stricken from said lists on the day of election, and no person shall vote at any election whose name is not on said lists. No board of registration shall be answerable for any omission of a name or residence from the voting lists or for any error in the same, unless such name and residence are correctly entered in the general register of voters; but on the day of election said board shall be in session, and shall give to any registered voter whose name has been omitted from the voting list, or in whose name or residence as placed on said voting list a clerical error has been

## CHAP. 70

made, a certificate signed by a majority of the board, giving the corrected name and residence of such person, and directed to the officer presiding over the election; such officer shall on receipt of such certificate, allow the person therein named to vote and shall check his name on the certificate, and securely attach the certificate to the voting list.'

Approved March 23, 1917.

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## Chapter 70.

An Act to Amend Section Fourteen of Chapter Fifty-eight of the Revised Statutes, Relating to the Extension of Charters of Street Railroads.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 58, § 14, relating to authority of public utilities commission to extend or revive charter of street railroads, amended. Section fourteen of chapter fifty-eight of the revised statutes is hereby amended by striking out the words, "a period not exceeding three years," in the second and third lines thereof, and inserting in place thereof the words, 'successive periods of not exceeding three years each,' so that said section as amended shall read as follows:

'Sec. 14. Time limit increased to successive periods of three years each. The public utilities commission may extend the corporate existence and powers of such corporation for successive periods of not exceeding three years each, or may revive such corporate existence and powers for a like period after the same shall have ceased as provided in the preceding section. Said commission, if they deem it expedient, and if the same be prayed for, may include in such extension any rights or powers granted to such corporation by special law, and in such case all rights and powers of such corporation, whether existing under this chapter or under any special law, shall continue in full force for the period not exceeding three years determined by the commission; provided, however, that before decreeing such extension or revival, notice shall be given and hearing had as provided by section seven.'

Approved March 23, 1917.

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## Chapter 71.

An Act to Amend Section Seventy-four of Chapter Forty-five of the Revised Statutes, Relating to Fishing for Smelts in West Bay and West Bay Stream.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 45, § 74, relating to regulation of smelt fishing, amended. Section seventy-four of chapter forty-five of the revised statutes is hereby amended by striking out the words "nor to smelts taken in West Bay and West Bay stream, so-called, in the town of Gouldsboro, Hancock county," in the thirty-first and thirty-second lines of said section, so that said section as amended shall read as follows:

## CHAP. 72

'Sec. 74. Exception as to West Bay and West Bay stream, in Gouldsboro, repealed. No smelts shall be taken or fished for in tidal waters, nor in any brook, stream or river emptying into tide-waters within one thousand feet of tide-water, except by hook and line, between the first days of April and October, under a penalty of not less than ten, nor more than thirty dollars for each offense, and a further penalty of twenty cents for each smelt so taken, and all weirs for the capture of smelts shall be open and so remain, and all nets used in the smelt and tomcod fishery shall be taken from the water on or before said first day of April under a penalty of not less than twenty, nor more than fifty dollars, and a further fine of five dollars for each day that any such weir or net remains in violation of the law. But weirs with catch pounds covered with nets, the meshes of which are one inch square in the clear, or greater or weirs with catch pounds covered with nets which are erected and used for the catching of herring are not subject to this section. But no smelts caught in such weirs after the first day of April, shall be sold or offered for sale in this state, nor shall smelts caught in any manner between the first day of April and the first day of October following be offered for sale, sold or shipped from the state under a penalty of twenty-five dollars for each offense; provided, however, that dip nets may be used between the first day of April and the first day of May, and all smelts caught by dip-nets between said days may be lawfully offered for sale and sold in this state; provided, further, that this section does not apply to smelts taken in the Androscoggin river above the Merrymeeting Bay bridge, or in Narraguagus bay or river between the first days of October and November, nor to smelts taken in the Penobscot river and its tributaries between the first and thirtieth days of April, nor to smelts taken in Casco bay between the fifteenth day of September and the first day of October, nor to smelts taken in Franklin bay, between the first day of April and the first day of May, nor to smelts taken in Little Kennebec bay, so called, or in Narraguagus bay or river, in the county of Washington, between the first day of April and the twentieth day of May, nor to smelts taken in Tunk stream and Parritt and Whitten stream, so called, in the town of Steuben, in Washington county, between the first day of April and the first day of May, nor to smelts taken in Passamaquoddy bay, St. Croix river and Cobscook bay and the coves and inlets tributary to these bays between the first day of September and the first day of October.'

Approved March 23. 1917.

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## Chapter 72.

An Act Providing for the Relief of Members of the Passamaquoddy Tribe of Indians Found Destitute beyond Tribal Reservations.

*Be it enacted by the People of the State of Maine, as follows:*

**Towns to be reimbursed for aid extended to Passamaquoddy Indians.** When any member of the Passamaquoddy tribe of Indians is found destitute and in distress beyond the tribal reservation and is relieved by the



town in this state in which he is so found, the overseers of the poor of said town may send to the agent a statement specifying the nature, dates and amount of the supplies furnished, which shall be transmitted to the governor and council with such additional statements of fact as said agent may think proper; and the state shall reimburse said town for the relief so furnished, to such extent as the governor and council adjudge to have been necessarily expended therefor.

Approved March 23, 1917.

## Chapter 73.

An Act to Amend Paragraph Ten of Section Fifty-one of Chapter Eighty-two of the Revised Statutes, Relating to Trial Terms of the Supreme Judicial Court in the County of Oxford.

*Be it enacted by the People of the State of Maine, as follows:*

**Terms of court in Oxford county.** The May term of the supreme judicial court within and for the county of Oxford shall be held at Rumford on the second Tuesday of May in each year. Said May term shall hereafter be held with a grand jury. The March term of said court within and for said county is hereby abolished. A term of the supreme judicial court shall be held at Paris within and for said county on the second Tuesday of February in each year. Said February term shall be held with a grand jury.

Approved March 23, 1917.

## Chapter 74.

An Act Relating to Annual or Biennial Reports of State Charitable and Correctional Institutions.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1.** Certain state institutions to close accounts, June 30th. Shall submit annual report to governor and council on or before September 30. Reports to be printed biennially. The books of accounts and record of the Maine state prison, the reformatory for women, state school for boys, state school for girls, Augusta state hospital, Bangor state hospital, school for the feeble minded, the state sanatoriums for the treatment of tuberculosis and the Bath military and naval orphan asylum, shall hereafter be closed on the thirtieth day of June of each year, and the annual or biennial reports which are now required by law to be made by the inspectors, commissioners, trustees and officers having charge of the said institutions shall hereafter be made annually to the governor and council on or before the thirtieth day of September, for the year ending on the thirtieth day of June preceding. Said reports shall be printed biennially for the use of the legislature in such numbers and in such form as the governor and council may determine.

**Sec. 2.** Certain inconsistent statutes repealed. So much of section thirty-one of chapter three, revised statutes, sections eight, twelve and

**CHAP. 75**

sixty of chapter one hundred forty-two, revised statutes, section thirteen of chapter one hundred forty-four, revised statutes, sections seven and forty-seven of chapter one hundred forty-five, revised statutes and section six of chapter one hundred forty-six, revised statutes, or of any other laws in relation to annual or biennial reports of the aforesaid institutions, as are inconsistent with the provisions of this act, are hereby repealed.

Approved March 23, 1917.

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## **Chapter 75.**

**An Act Amendatory of and Additional to Section Twenty-two of Chapter Fifty-five of the Revised Statutes, Relating to the Annual Closing of Accounts and Filing of Balance Sheet by Public Utilities.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 55, § 22, relating to closing of accounts by public utilities, amended.** Section twenty-two of chapter fifty-five of the revised statutes is hereby amended so as to read as follows:

**'Sec. 22. Accounts to be closed December 31st.** The accounts of all public utilities shall be closed annually on the thirty-first day of December, unless a different date is fixed by the public utilities commission, and a balance sheet of that date, or of the date so fixed, promptly taken therefrom. Within two months after said date, or the date so fixed, such balance sheet together with such other information as the commission shall prescribe, verified by an officer or owner of the public utility, shall be filed with the commission, provided, however, that said commission may by general order extend said time not exceeding one month.'

**Sec. 2. Report required to be made in 1917. Special provisions.** This act shall take effect on the thirty-first day of December, one thousand nine hundred and seventeen, and require a report as of that date for the year then ending, notwithstanding a portion of that year may have been included in any annual report made, or required to be made, under the aforesaid section of the revised statutes. But the commission may require any classes of utilities, as defined in section fifteen of said chapter fifty-five, to draw off a balance sheet as of December thirty-first, nineteen hundred and sixteen, and to file said balance sheet and other information in manner aforesaid, for the year then ended, within such time as it may prescribe, in lieu of closing said accounts and filing said returns on the dates now fixed by law.

Approved March 23, 1917.

## Chapter 76.

An Act to Amend Section Thirty of Chapter Fifty-six of the Revised Statutes, Relating to the Construction and Use of Branch Railroad Tracks.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 56, § 30, relating to authority to build branch railroad tracks, amended.** Section thirty of chapter fifty-six of the revised statutes is hereby amended by adding thereto the following:

'The public utilities commission, upon petition of any party interested, after notice and hearing, may order any railroad company to construct, maintain and operate such a branch railroad track to any such mill, mine, quarry, log landing or yard, warehouse, storehouse or manufacturing establishment owned or operated by the petitioner, whenever said commission shall find that such track is necessary for the reasonably convenient conduct of the business of the petitioner and is warranted by the volume of business to be handled thereon and can be so constructed, maintained and operated with due regard to safety and the reasonable operation of the railroad; provided, however, that no such order shall be made by said commission unless the petitioner shall provide, at his own expense, the right of way for such portion of said track as is not located upon the land of the railroad company; shall pay all the expense of the construction and maintenance of said track; shall furnish such security for said payment and shall comply with such conditions as to fire release and the operation of such track as the commission may prescribe. The commission, upon petition of any party interested, after notice and hearing, may permit any party owning or occupying premises adjacent to any track constructed under this section to use such track for receiving or holding freight in carload lots upon such terms and conditions as it may prescribe, including the payment of a part of the original cost of such track and of its future maintenance and suitable fire releases, so that said section, as amended, shall read as follows:

**'Sec. 30. Public utilities commission may order such tracks to be built. Expense to be borne by petitioner.** Any railroad corporation, under the direction of the public utilities commission, may locate, construct and maintain branch railroad tracks to any railroad station of another corporation or to connect with another railroad or to any mills, mines, quarries, gravel pits, log landing or yard, warehouses and storehouses, educational institution, or manufacturing establishments erected in any town or township through which the main line of said railroad is constructed, but not within any city without the consent of the city council and for that purpose said corporation shall have all the powers and rights granted and be subject to all the duties imposed upon it by its charter. The public utilities commission upon petition of any party interested, after notice and hearing, may order any railroad company to construct, maintain and operate such a branch railroad track to any such mill, mine, quarry, log landing or yard, warehouse, storehouse or manufacturing establishment owned or operated by the petitioner, whenever said commission shall find that such track is necessary for the reasonably con-

**CHAP. 77**

venient conduct of the business of the petitioner and is warranted by the volume of business to be handled thereon and can be so constructed, maintained and operated with due regard to safety and the reasonable operation of the railroad; provided, however, that no such order shall be made by said commission unless the petitioner shall provide, at his own expense, the right of way for such portion of said track as is not located upon the land of the railroad company; shall pay all the expense of the construction and maintenance of said track; shall furnish such security for said payment and shall comply with such conditions as to fire release and the operation of such track as the commission may prescribe. The commission, upon petition of any party interested, after notice and hearing, may permit any party owning or occupying premises adjacent to any track constructed under this section to use such track for receiving or holding freight in carload lots upon such terms and conditions as it may prescribe, including the payment of a part of the original cost of such track and of its future maintenance and suitable fire releases.'

Approved March 26, 1917.

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## **Chapter 77.**

**An Act to Amend Section One Hundred Thirty-nine of Chapter Sixteen of the Revised Statutes, Relating to the Annual Appropriation for the Encouragement of Industrial Education.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 16, § 139, relating to expenditure for industrial education, amended.** Section one hundred thirty-nine of chapter sixteen of the revised statutes is hereby amended by striking out the word "fifty" in the third line thereof and substituting therefor the word 'sixty-four,' so that said section when amended shall read as follow:

'**Sec. 139. Amount increased to \$64,000.** For the purposes of the seven preceding sections there shall be deducted annually by the treasurer of state from the school and mill fund the sum of sixty-four thousand dollars and any unexpended balance of this amount shall be added to the permanent school fund. All reports required under said section shall be filed annually with the state superintendent of public schools on or before the first day of July and state aid shall be payable during the month of December next succeeding.'

Approved March 26, 1917.

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## **Chapter 78.**

**An Act to Amend Section Twenty-five of Chapter Thirty of the Revised Statutes, Providing for the Election of Inspectors of Buildings.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 30, § 25, relating to inspectors of buildings, amended.** Section twenty-five of chapter thirty of the revised statutes is hereby amended

by striking out the word "appoint" in the fourth line of said section and inserting in place thereof the word 'elect' so that said section, as amended, shall read as follows:

**'Sec. 25. Municipal officers to elect instead of appoint.** In every town and city of more than two thousand inhabitants, and in every town of two thousand inhabitants or less if such town shall so vote at an annual town meeting, the municipal officers shall annually in the month of April elect an inspector of buildings, who shall be a man skilled in the construction of buildings, and shall determine his compensation. The municipal officers shall define the limits within which the inspector of buildings shall have jurisdiction, which shall include the thickly settled portion of each such city, or of each village in each such city or town.'

Approved March 26, 1917.

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## Chapter 79.

An Act to Amend Section One Hundred Seventy-six of Chapter Sixteen of the Revised Statutes, Relating to the Appropriation for Teachers' Pensions.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 16, § 176, relating to appropriation for teachers' pensions, amended.** Section one hundred seventy-six of chapter sixteen of the revised statutes is hereby amended by striking out the word "twenty-five" in the second line thereof and substituting therefor the word 'twenty-seven' so that said section when amended shall read as follows:

**'Sec. 176. Increased to \$27,000.** For the purposes of the seven preceding sections the sum of twenty-seven thousand dollars is annually appropriated, which sum the treasurer of state shall deduct for said purposes out of the school and mill funds and the sum so appropriated and deducted shall be denominated the school pension fund.'

Approved March 26, 1917.

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## Chapter 80.

An Act to Amend Chapter One Hundred Forty-seven of the Revised Statutes, Relating to the State Board of Charities and Corrections.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 147, § 2, relating to secretary of state board of charities and corrections, expenses of board, etc., amended.** Section two of chapter one hundred forty-seven of the revised statutes, is hereby amended by striking out at the end of the section, the words, "The expenses of the board and the salary and expenses of the secretary or of any agent employed by the board not exceeding in all the sum of six thousand dollars shall be paid pro rata by all institutions coming within the scope of this chapter, which receives state aid in the following manner, viz: each of such institutions shall pay such proportion of said total ex-

**CHAP. 81**

penses for any one year as its own appropriation for that year bears to the total amount appropriated for that year for the benefit of all such institutions," so that as amended the section shall read as follows:

**'Sec. 2. Expenses and salary of secretary to be paid by special appropriation.** The board shall appoint a secretary, not of their own number, who shall have been a resident of the state for at least five years, and shall be qualified by special knowledge and experience in charitable, correctional and institutional work; he shall receive for his services, in addition to his travelling and other necessary expenses, such salary as may be agreed upon by the board, with the approval of the governor and council. The accounts of such secretary for his travelling and other necessary expenses shall be approved by the board, audited by the state auditor and, together with the salary of such secretary not exceeding twenty-five hundred dollars, shall be paid out of the state treasury upon certificate of the state auditor.'

**Sec. 2. R. S., c. 147, § 9, relating to report of board, amended.** Section nine of said chapter one hundred forty-seven is hereby amended to read as follows:

**'Sec. 9. Reports to be made quarterly. Quarterly bulletin to be printed.** The board shall in January, April, July and October of each year make a quarterly report to the governor, showing the actual condition of the various institutions under its supervision which have been inspected by the members of the board, its secretary or other agents during the preceding three months with suggestions and recommendations as it may deem necessary and advisable, and shall publish a quarterly bulletin, in which shall be included a summary of such reports and recommendations. The board shall biennially on or before the first day of January in each year in which the legislature convenes, prepare and print, for the use of the legislature, a full and complete financial and statistical report of the various institutions under its supervision, and a statement of all expenses incurred and all officers and agents employed, for the two year period ending on the thirtieth day of June preceding, with such suggestions and recommendations as it may deem necessary or advisable.

**Sec. 3. Inconsistent statutes repealed.** All acts and parts of acts inconsistent with the foregoing are hereby repealed.

Approved March 26, 1917.

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## **Chapter 81.**

**An Act to Amend Section Twenty-seven of Chapter Fifty-two of the Revised Statutes, Relating to the Investment of Deposits of Savings Banks.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 52 § 27, relating to investment of deposits.** Section twenty-seven of chapter fifty-two of the revised statutes is hereby amended by adding at the end thereof the following sub-section:

**'Eighth. May hold stocks, bonds and other securities, not authorized by law, acquired in settlements, etc.** Savings banks and institutions for

savings may acquire and hold stocks, bonds and other securities not authorized by law, hereafter acquired in settlements and reorganizations and accepted to reduce or avoid loss or defaulted loans and investments held by said banks and institutions, and may continue to hold such stocks, bonds and other securities heretofore so acquired, and shall not be obliged to sell or dispose of the same except at such times and in such manner as will prevent unnecessary loss or embarrassment to the business of the bank or institution.'

Approved March 26, 1917.

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## Chapter 82.

An Act to Amend Section Twenty-four of Chapter Fifty-two of the Revised Statutes, Relating to the Withdrawal by a Minor of Deposits in Banking Institutions.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 52, § 24, relating to deposits of married women and minors in savings banks, amended. Section twenty-four of chapter fifty-two of the revised statutes is hereby amended by inserting after the words "pay the same to such minor" in the second sentence, the words 'or upon his or her order' so that said section as amended shall read as follows:

'Sec. 24. Deposits may be paid to order of minor. Money deposited in a bank, institution for savings, or trust company, by a married woman, is her property and she may maintain an action in her own name to recover it. Money deposited in the name of a minor is his or her property, and the corporation may, in the discretion of the officer making the payment, pay the same to such minor or upon his or her order or to his or her guardian, and such payment shall be valid. The foregoing provisions as to ownership do not apply to money belonging to a third person and fraudulently deposited by or in the name of a married woman or minor, but payment to such married woman or minor by said bank, institution for savings, or trust company without notice of such fraud shall be valid. The receipt of such married woman or minor for such deposits and interest, or any part thereof, is a valid release and shall discharge the corporation.'

Approved March 26, 1917.

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## Chapter 83.

An Act to Amend Section Forty-three of Chapter Fifty-two of the Revised Statutes, Relating to the Custody of Securities Owned by Savings Banks.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 52, § 43, relating to place where securities owned by savings banks are to be kept, amended. Section forty-three of chapter fifty-two of the revised statutes is hereby amended by inserting at the end of the third line of said section the following words: 'and except when a sale or exchange thereof shall require delivery out of the state, or when neces-

## CHAP. 84

sary to send any of them out of the state temporarily for purposes incident to the business of owning or managing such securities by savings banks;' so that said section as amended shall read as follows:

**'Sec. 43. May be taken out of state under certain conditions.** All securities owned or held by savings banks shall be kept within the state, except as provided in sections thirty-three and thirty-four of this chapter, and except when a sale or exchange thereof shall require delivery out of the state, or when necessary to send any of them out of the state temporarily for purposes incident to the business of owning or managing such securities by savings banks; and the place of their deposit shall be selected with reference to insuring the greatest possible security for their safe keeping, and shall be subject to the approval of the bank commissioner.'

Approved March 26, 1917.

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## Chapter 84.

An Act to Amend Section Seven of Chapter One Hundred and Two of the Revised Statutes, Relating to Bastard Children and their Maintenance.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 102, § 7, relating to proceedings after verdict in bastardy cases.** Section seven of chapter one hundred and two of the revised statutes is hereby amended by inserting after the word "court" in the eleventh line the following: 'or by the clerk of said court, in term time, or in vacation', so that said section as amended shall read as follows:

**'Sec. 7. Bond of respondent may be approved by clerk of courts, in term time or vacation.** If, on such issue, the jury finds the respondent not guilty, he shall be discharged; but if they find him guilty, or the facts in the declaration filed are admitted by default or on demurrer, he shall be adjudged the father of said child; stand charged with its maintenance, with the assistance of the mother, as the court orders; and shall be ordered to pay the complainant her costs of suit and for the expense of her delivery, and of her nursing, medicine and medical attendance, during the period of her sickness and convalescence, and of the support of such child to the date of rendition of judgment; and shall give a bond, with sufficient sureties approved by the court, or by the clerk of said court in term time, or in vacation, to the complainant to perform said order, and a bond, with sufficient sureties so approved, to the town liable for the maintenance of such child, and be committed until he gives them. The latter bond shall be deposited with the clerk of the court for the use of such town. If the respondent does not comply with that part of the order relative to payment of expenses and costs of suit, execution may issue therefor as in actions of tort.'

Approved March 26, 1917.



## Chapter 85.

An Act to Amend Section Four of Chapter Sixty-two of the Revised Statutes, Relating to Recording of Certificates of Incorporation of and Payment of Fees for Same by Corporations without Capital Stock.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 62, § 4, relating to corporation organized under c. 62, R. S. Section four of chapter sixty-two of the revised statutes is hereby amended so as to read as follows:

**'Sec. 4. Registers of deeds to receive a recording fee of \$1.00.** Before commencing business, the president, treasurer and a majority of the directors or trustees of every corporation organized under the foregoing sections shall prepare a certificate setting forth the name and purposes of the corporation, the town where located, the number and names of the officers, and shall sign and make oath to it; and after it has been examined by the attorney general, and been by him certified to be properly drawn and signed and to be conformable to the constitution and laws, it shall be recorded in the registry of deeds in the county where said corporation is located, in a book kept for that purpose, and within sixty days after the day of the meeting at which such corporation is organized, a copy thereof certified by such register shall be filed in the secretary of state's office, who shall enter the date of filing thereon, and on the original certificate to be kept by the corporation, and shall record said copy in a book kept for that purpose. No fee shall be required hereunder by the attorney general or secretary of state, but registers of deeds shall receive for recording such certificate the fee of one dollar.'

Approved March 26, 1917.

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## Chapter 86.

An Act Relating to the Probate of Foreign Wills.

*Be it enacted by the People of the State of Maine, as follows:*

**Copy of foreign will may be accepted in place of original.** When a duly authenticated copy of a will from any state or country where probate is not required by the laws of such state or country, with a duly authenticated certificate of the legal custodian of such original will that the same is a true copy, and that such will has become operative by the laws of such state or country, and when a copy of a notarial will in possession of a notary in a foreign state or country entitled to the custody thereof, (the laws of which state or country require that such will remain in the custody of such notary), duly authenticated by such notary, is presented by the executor or other persons interested to the proper court in this state, such court shall appoint a time and place of hearing and notice thereof shall be given as in case of an original will presented for probate. If it appears to the court that the instrument ought to be allowed in this state,

**CHAP. 87**

as the last will and testament of the deceased, the copy shall be filed and recorded, and the will shall have the same effect as if originally proved and allowed in the said court.

Approved March 26, 1917.

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## **Chapter 87.**

**An Act to Amend Section Fifty-nine of Chapter Four of the Revised Statutes, Relating to Appropriation by Cities and Towns for Advertising.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 4, § 59, relating to appropriations by towns for advertising, amended.** Section fifty-nine of chapter four of the revised statutes is hereby amended by striking out the words in the second line thereof "having not more than fifty thousand inhabitants," so that said section, as amended, shall read as follows:

**'Sec. 59. Appropriation may be made by any town or city. Any city or town may appropriate any sum, not exceeding one mill on a dollar, based on the valuation of the preceding year, to be expended and used for advertising the natural resources, advantages and attractions of such city or town.'**

Approved March 26, 1917.

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## **Chapter 88.**

**An Act Additional to and Amendatory of Chapter One Hundred Thirty-nine of the Revised Statutes, Relating to Insane Inmates of the Reformatory for Women.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 139, relating to disposal of insane criminals, supplemented.** Chapter one hundred thirty-nine of the revised statutes is hereby amended by adding thereto the following sections:

**'Sec. 15. Reformatory for women; preliminary proceedings when inmate becomes insane or is feeble minded.** Whenever a woman committed to the reformatory for women has become insane, or in the opinion of the superintendent thereof is in such a condition that she is a fit subject for the Maine School for Feeble Minded, the superintendent shall notify the reformatory physician of the fact, and the reformatory physician shall forthwith investigate the case and make a personal examination of such woman; and if such physician finds such woman to be insane or a fit subject for the Maine School for Feeble Minded he shall forthwith certify such fact in writing to the superintendent. Said superintendent shall apply in writing to the judge of the Western Somerset municipal court in the county of Somerset stating the facts connected therewith and praying that the condition of such woman may be inquired into and such decree made as to her commitment as justice may require.'

**'Sec. 16. Court proceedings.** Such judge shall thereupon appoint a time and place for a hearing by him of the allegations of such application and shall cause a true copy of such application to be given in hand to the person so alleged to be insane or a fit subject for the Maine School for Feeble Minded, at least twenty-four hours prior to the time of said hearing, together with a notice of the time and place of said hearing, and that she has a right and will be given an opportunity then and there to be heard in the matter; he shall call before him all testimony necessary for the full understanding of the case, and shall personally examine and interview such person, whether she shall or shall not appear at such hearing, and shall require and receive evidence of at least two reputable physicians not in the employ of the reformatory for women, all such evidence being given under oath before such judge, with the certificate signed by such physicians and filed with the papers in the case, that in their opinion such person is or is not insane or is or is not a fit subject for Maine School for Feeble Minded. Such evidence and certificate shall be based upon due inquiry and personal examination of the person to whom insanity is imputed or who is alleged to be a fit subject for Maine School for Feeble Minded. At said hearing the judge shall appoint a guardian ad litem for the person so alleged to be insane or a fit subject for Maine School for Feeble Minded, and may in his discretion appoint counsel for such person. The compensation for such guardian and counsel shall be fixed by the judge and included in the expense of the proceedings to be paid by the state.'

**'Sec. 17. Manner of commitment.** If upon the foregoing proceedings such judge shall determine that such woman committed to the reformatory for women is insane or that she is a fit subject for the Maine School for Feeble Minded and that her comfort and safety, or that of others interested, or her welfare will thereby be promoted, he shall, in case such person is insane, commit her to one of the insane hospitals, with a certificate stating the fact of her insanity and directing that she shall be received and detained accordingly until she is restored or discharged by law; or in case such woman is a fit subject for the Maine School for Feeble Minded he shall commit her to said school by order of commitment directed to the hospital trustees, directing that she shall be received and detained accordingly until she is restored or discharged by law, providing that no order of commitment to the Maine School for Feeble Minded be made until application for admission of such person has first been made to the hospital trustees by the superintendent of said reformatory, which application shall be placed on file at the Maine School for Feeble Minded and evidence thereof presented to the judge accompanied by a certificate of the superintendent of said Maine School for Feeble Minded, stating in substance that such person will be received under provision of section fifty-one of chapter one hundred forty-five of the revised statutes. The certificate of said judge shall state the town in which the woman committed to the reformatory for women, so committed, resided at the time of her original commitment to the reformatory for women. A certified copy of the certificate, signed by the reformatory physician shall accompany such order of commitment made hereunder, and said judge shall

**CHAP. 89**

keep a record of his doings and furnish a copy to any interested person requiring and paying for it.'

'Sec. 18. R. S., c. 139, § 8, 9 and 11 applicable. The provisions of sections eight, nine and eleven of chapter one hundred thirty-nine of the revised statutes are hereby extended to and made applicable to the case of any woman committed from the reformatory for women in the foregoing manner, except that said fees and costs shall be audited and allowed by the state auditor and shall be paid by the state.'

Approved March 26, 1917.

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## **Chapter 89.**

**An Act to Refund a Certain Bond Issued in Favor of the Trustees of the Maine Insane Hospital.**

*Be it enacted by the People of the State of Maine, as follows:*

**State treasurer to refund bond formerly issued to Trustees of Maine Insane Hospital.** For the purpose of refunding and paying an un-negotiable registered bond of the State of Maine for the sum of fifty thousand dollars, bearing interest at the rate of four per cent. per annum, issued to the Trustees of the Maine Insane Hospital, as provided in chapter seventy of the resolves of eighteen hundred eighty-seven, the treasurer of the state be, and hereby is, authorized and directed to issue to the hospital trustees for the benefit of the Augusta State Hospital, formerly the Maine Insane Hospital, an un-negotiable registered bond, for the sum of fifty thousand dollars, bearing interest at the rate of four per cent per annum, payable semi-annually, on the first days of January and July of each year, at the treasurer's office; said bond shall be payable in thirty years from the first day of July in the year of our Lord one thousand nine hundred seventeen, and shall be signed by the treasurer, countersigned by the governor, and attested by the state auditor; and the state treasurer and his successors in office shall pay to the treasurer of said hospital, the interest on said bond until its maturity.

Approved March 26, 1917.

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## **Chapter 90.**

**An Act to Amend Section Thirty-four of Chapter One Hundred Forty-five of the Revised Statutes, Relating to Temporary Leave of Absence of Patients from Insane Hospitals.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 145, § 34, relating to inmates of institutions for the insane leaving temporarily.** Section thirty-four of chapter one hundred forty-five of the revised statutes is hereby amended by adding thereto the words: 'The superintendent of either hospital with the approval of the board of trustees may on receipt of formal application in writing before the date

**CHAP. 91**

of expiration of such leave of absence grant an extension of time for another six months,' so that said section as amended shall read as follows:

**'Sec. 34. Superintendents may grant extension of time.** The superintendent of either hospital may permit any inmate thereof to leave such institution, temporarily, in charge of his guardian, relatives, friends, or by himself for a period not exceeding six months, and may receive him when returned by any such guardian, relatives, friends, or upon his own application within such period, without any further order of commitment, and the liability of the state, or of any person by bond given for the care, support and treatment of such insane person as originally committed, shall remain in full force and unimpaired upon the return of such person as if he had remained continuously in such hospital. The superintendent of either hospital with the approval of the board of trustees may on receipt of formal application in writing before the date of expiration of such leave of absence grant an extension of time for another six months.'

Approved March 26, 1917.

## Chapter 91.

**An Act Additional to Chapter Fifty-two of the Revised Statutes Relating to Limitation of Actions to Recover Money Paid on Forged Signatures.**

*Be it enacted by the People of the State of Maine, as follows:*

**Actions to recover money on account of payment by trust companies or institutions for savings to be begun within 3 years.** No action at law or in equity, to recover money by any depositor, shall be maintained against any savings bank, institution for savings, or trust company, if the depositor denies the signature on any order drawn on any saving bank, institution for savings, or savings deposit or certificates of deposit in any trust company, or on any receipt for payment by such savings bank, institution for savings, or trust company, unless such action is begun, and service made thereon, within three years from the date of such payment.

Approved March 26, 1917.

## Chapter 92.

**An Act to Amend Section Sixty-two of Chapter Two of the Revised Statutes, Relating to Deposit of State Funds.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 2, § 62, relating to deposit of state funds, amended.** Section sixty-two of chapter two of the revised statutes is hereby amended by striking out all of said section and inserting in place thereof the following:

**'Sec. 62. Amount of deposit limited to 25 per cent of capital and surplus.** The treasurer may deposit the moneys of the state in any of the

**CHAP. 93**

banking institutions or trust companies organized under the laws of this state or in any national bank or banks located therein. No sum exceeding an amount equal to twenty-five per cent. of the capital and surplus of any one bank or banking institution shall be deposited therein. The above restriction shall not apply to deposits actually made to meet the payment of any bonded debts or interest or warrants of the governor and council.'

Approved March 26, 1917.

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## Chapter 93.

An Act to Amend Section Forty-seven, Chapter Fifty-five, Revised Statutes, Relating to Orders of the Public Utilities Commission and Their Enforcement.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 55, § 47, relating to public utilities conforming to orders of commission amended.** Section forty-seven, chapter fifty-five, of the revised statutes, is hereby amended by adding the following words:

'The supreme judicial court shall have full jurisdiction at law and in equity, upon application of the commission or of the attorney general, to enforce all orders of the commission and the performance by public utilities of all duties imposed by law upon them, including the appointment of receivers, agents and special masters to carry its orders and the orders of said commission into effect and clothing them with adequate authority therefor,' so that said section, as amended, shall read as follows:

**'Sec. 47. Supreme judicial court to enforce orders of commission.** Every public utility to which such order applies shall make such changes in its schedules on file as may be necessary to make the same conform to said order; and no change thereafter shall be made by any public utility in any such rates, tolls or charges or in any joint rate or rates without the approval of the commission. Copies of all orders of the commission, certified by the clerk, shall be delivered to the public utility affected thereby and the same shall take effect within such time thereafter as the commission shall prescribe. The supreme judicial court shall have full jurisdiction at law and in equity, upon application of the commission or of the attorney general, to enforce all orders of the commission and the performance by public utilities of all duties imposed by law upon them, including the appointment of receivers, agents and special masters to carry its orders and the orders of said commission into effect and clothing them with adequate authority therefor.'

Approved March 26, 1917.

## Chapter 94.

**An Act Relating to the Issuing of Blank Writs by Clerks of the Supreme Judicial Courts, and Superior Courts, Clerks and Recorders of Municipal and Police Courts and Trial Justices.**

*Be it enacted by the People of the State of Maine, as follows:*

Blank writs bearing seal of court to be sold only to attorneys at law. Clerks of the supreme judicial courts and superior courts, clerks and recorders of the municipal and police courts and trial justices of the state shall not sell or deliver any blank writs or precepts bearing the seal of said courts and the signature of said clerks, recorders and trial justices, to any person except one who has been admitted as an attorney and counselor at law, and solicitor and counselor in chancery in accordance with the laws of this state.

Approved March 28, 1917.

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## Chapter 95.

**An Act Making it Unlawful to Give Checks or Drafts on Banks where the Maker has not Sufficient Funds or Credit to Pay Same, and Providing a Penalty therefor.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Penalty for issuing checks or drafts without sufficient funds for payment.** Any person who, with intent to defraud, shall make or draw, or utter or deliver, any check, draft or order, for the payment of money, upon any bank or other depository, knowing at the time of such making, drawing, uttering or delivering, that the maker, or drawer, has not sufficient funds in, or credit with, such bank or other depository, for the payment of such check, draft, or order, in full, upon its presentation, shall be guilty of a misdemeanor, and punishable by imprisonment for not more than one year, or by a fine of not more than one thousand dollars, or both fine and imprisonment.

**Sec. 2. Prima facie evidence to defraud unless payment is made within five days.** As against the maker or drawer thereof, the making, drawing, uttering or delivery of a check, draft or order, payment of which is refused by the drawee, shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in, or credit with, such bank or other depository, provided such maker or drawer shall not have paid the drawee or holder thereof the amount due thereon, together with all costs and protest fees, within five days after receiving notice that such check, draft or order has not been paid by the drawee.

**Sec. 3. Term "credit" defined.** The word "credit" as used herein, shall be construed to mean an arrangement or understanding with the bank or depository, for the payment of such check, draft or order.

**Sec. 4. Inconsistent statutes repealed.** All acts and parts of acts inconsistent herewith, and particularly section thirteen of chapter one hundred twenty-eight of the revised statutes are hereby repealed.

Approved March 29, 1917.

## Chapter 96.

An Act Amending Section Fourteen of Chapter Fifty-six of the Revised Statutes, Relating to the Construction of Extensions of Railroads.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 56, § 14, relating to extensions by railroads, amended.** Section fourteen, chapter fifty-six of the revised statutes, is hereby amended by striking out all of said section and substituting therefor the following:

**'Sec. 14. Public utilities commission to hold public hearing upon application.** Any railroad corporation of this state may locate, construct, operate and maintain extensions and branches anywhere in this state, of the lines of railroad now or hereafter owned, leased, constructed or operated by it; provided, however, that no railroad corporation shall hereafter begin the construction of any such extension or branch without having first obtained from the public utilities commission, upon written application and after public hearing, an order authorizing and approving the location of any such extension or branch and a certificate stating that in the opinion of the commission public convenience and necessity require such construction.'

Approved March 29, 1917.

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## Chapter 97.

An Act to Amend Section One Hundred Fifty-seven of Chapter Fifty-three of the Revised Statutes, and Providing for the Payment of Premiums on Official Bonds of County Officials by the County.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 53, § 157, relating to premium on bonds, amended.** Section one hundred fifty-seven of chapter fifty-three of the revised statutes is hereby amended by adding to said section the following provision: 'The premium on account of all official bonds required by law to be given by county officials shall be paid from the treasuries of their several counties,' so that said section as amended shall read as follows:

**'Sec. 157. Premiums on bonds of county officials to be paid by counties.** Any court or officer whose duty it is to pass upon the account of any person or corporation required by law to give a bond, may, whenever such person or corporation has given any such surety company as surety upon said bond, allow in the settlement of such account a reasonable sum for the expense of procuring such surety. The premium on account of all official bonds required by law to be given by county officials shall be paid from the treasuries of their several counties.'

Approved March 29, 1917.



## Chapter 98.

**An Act to Prevent the Sources of Domestic Water Supply from Becoming Polluted.**

*Be it enacted by the People of the State of Maine, as follows :*

**Sec. 1. Public utilities commission to advise municipalities as to purification of water supply and disposal of sewage.** The public utilities commission shall consult with and advise the authorities of cities and towns and persons and corporations having, or about to have, systems of water supply, drainage or sewage as to the most appropriate source of water supply and the best method of assuring its purity or as to the best method of disposing of their drainage or sewage with reference to the existing and future needs of other cities, towns or persons or corporations which may be affected thereby. It shall also consult with and advise persons or corporations engaged or intending to engage in any manufacturing or other business whose drainage or sewage may tend to pollute any inland water, as to the best method of preventing such pollution, and it may conduct experiments to determine the best method of the purification or disposal of drainage or sewage. No person shall be required to bear the expense of such consultation, advice or experiment. Cities, towns, persons and corporations shall submit to said commission for its advice their proposed system of water supply or of the disposal of drainage or sewage and all petitions to the legislature for authority to introduce a system of water supply, drainage or sewage shall be accompanied by a copy of the recommendation and advice of said commission thereon. In this section the term "drainage" means rainfall, surface and subsoil water only, and "sewage" means domestic and manufacturing filth and refuse.

**Sec. 2. Commission to hold public hearing upon complaints of pollution.** Upon petition to said commission by the mayor of a city or the selectmen of a town the managing board or officer of any public institution, or by a board of water commissioners, or the president or other official of a water or ice company, stating that manure, excrement, garbage, sewage or any other matter pollutes or tends to pollute the waters of any stream, pond, spring or water course used by such city, town, institution or company, as a source of water supply, the commission shall appoint a time and place within the county where the nuisance or pollution is alleged to exist for a hearing, and after such notice thereof to parties interested and a hearing, if in its judgment the public health so requires, may, by an order served upon the party causing or permitting such pollution, prohibit the deposit, keeping or discharge of any such cause of pollution, and shall order him to desist therefrom and to remove any such cause of pollution; but the commission shall not prohibit the cultivation and use of the soil in the ordinary methods of agriculture if no human excrement is used thereon. Said commission shall not prohibit the use of any structure which was in existence on or before the first day of January, nineteen hundred and seventeen, upon a complaint made by any city, town, corporation or water district, water or ice com-

**CHAP. 98**

pany, unless such city, town, corporation, water district or company files with said commission a vote of its city council, selectmen, corporation, water district or company that such city, town, corporation, water district or company will, at its own expense, make such changes in said structure or its location as said commission shall deem expedient. Such vote shall be binding on such city, town, corporation, water district or company and all damages caused by any such change shall be paid by such city, town, corporation, water district or company. If the parties cannot agree thereon, the damage shall, on petition of either party, filed within one year after such changes are made, be assessed by a jury in the supreme judicial court for the county where such structure is located.

**Sec. 3. Appeal from decision of commission may be taken to supreme court.** Whoever is aggrieved by an order passed under the provisions of the preceding section may appeal therefrom to the supreme judicial court sitting in the county where appellant resides; but such notice of the pendency of the appeal as the court shall order shall also be given to the board of water commissioners and the mayor of the city or chairman of the selectmen of the town or president or other officer of the water or ice company interested in such order. While the appeal is pending, the order of the commission shall be complied with unless otherwise authorized by the commission.

**Sec. 4. Supreme court to enforce orders of commission.** The supreme judicial court shall have jurisdiction in equity, upon the application of the public utilities commission or of any party interested, to enforce its orders, or the orders, rules and regulations of said public utilities commission, and to restrain the use or occupation of the premises or such portion thereof as said commission may specify, on which said material is deposited or kept, or such other cause of pollution exists until the orders, rules and regulations of said commission have been complied with.

**Sec. 5. Agents of commission may enter upon and examine property.** The agents and servants of said public utilities commission may enter any building, structure, or premises for the purpose of ascertaining whether sources of pollution or danger to the water supply there exists, and whether the rules, regulations and orders aforesaid are obeyed.

**Sec. 6. Penobscot, Kennebec, Androscoggin and Saco rivers exempt from prohibition against deposit of sewage.** Unless the public utilities commission determines that public health will not thereby be seriously injured, no sewage, drainage, refuse or polluting matter of such kind and amount as either by itself or in connection with other matter will corrupt or impair the quality of the water of any pond or stream used as a source of ice or water supply by a city, town, public institution or water company for domestic use or render it injurious to health, and no human excrement shall be discharged into any such pond or stream or upon the banks thereof if any filtering basin in use is there situated. The prohibition against the deposit of sewage, drainage, refuse, polluting matter and human excrement shall not apply to the following

## CHAP. 99

rivers, namely, the Penobscot, the Kennebec, the Androscoggin and the Saco.

**Sec. 7. Penalty for violation.** Whoever violates any rule, regulation or order made under the provisions of any section hereof shall be punished for each offence by a fine of not more than five hundred dollars to the use of the state or by imprisonment for not more than one year or by both such fine and imprisonment.

**Sec. 8. Commission may expend \$4,000 in each of years 1917-18.** Said commission may appoint, employ and fix the compensation of such agents, clerks, servants, engineers and expert assistants as is considered by said commission necessary; and for the purpose of carrying out the provisions of this act, said commission may expend the sum of not over four thousand dollars in each of the years nineteen hundred seventeen and nineteen hundred eighteen which sums are hereby appropriated therefor.

Approved March 29, 1917.

## Chapter 99.

An Act to Amend Section Twenty-four of Chapter Forty-five of the Revised Statutes Relating to Prosecution of Violations of the Lobster Law.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 45, § 24, relating to prosecutions for violations of the lobster license law, amended.** Section twenty-four of chapter forty-five of the revised statutes is hereby amended by striking out the whole of said section and enacting in place thereof the following:

**'Sec. 24. Certificate of commissioner may be offered in evidence.** Any certificate of the commissioner of sea and shore fisheries in regard to the records of his office, shall be admissible in evidence in all prosecutions under this chapter.'

Approved March 29, 1917.

## Chapter 100.

An Act to Amend Section Four, of Chapter Sixty-four of the Revised Statutes, Relative to the Recording of Intentions of Marriage.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S. c. 64, § 4, relating to recording of marriage intentions supplemented.** Section four of chapter sixty-four of the revised statutes is hereby amended by adding thereto the following paragraphs: 'Upon application by both of the parties to an intended marriage, when both parties are residents of this state, or both parties are non-residents, or upon application of the party residing within the state when one of the parties is a resident and the other a non-resident, a judge of probate or the justice of a po-

**CHAP. 100**

lice, or municipal court, or trial justice, may after hearing such evidence as is presented, grant a certificate stating that in his opinion it is expedient that the intended marriage be solemnized without delay. Upon the presentation of such certificate, or a copy thereof certified by the clerk of the court by which the certificate was issued, or in extraordinary or emergency cases when the death of either party is imminent, upon the authoritative request of a minister, clergyman, priest, rabbi or attending physician, the clerk or registrar of the city or town in which the intention to be joined in marriage has been filed shall at once issue the certificate as prescribed in this section.

The five days' notice required by the provisions of this section shall not apply to cases in which either of the parties to an intended marriage has arrived as an immigrant from a foreign country within five days,' so that said section as amended shall read as follows:

**'Sec. 4. Certificate to be granted before five day limit under extraordinary circumstances. Recently arrived immigrants not included.** Residents of the state intending to be joined in marriage shall cause notice of their intentions to be recorded in the office of the clerk of the town in which each resides, at least five days before a certificate of such intentions is granted; and if one only of the parties resides in the state, they shall cause notice of their intentions to be recorded in the office of the clerk of the town in which such party resides, at least five days before such certificate is granted; and if there is no such clerk in the place of their residence, the like entry shall be made with the clerk of an adjoining town; and if both parties reside out of the state they shall cause notice of their intentions to be recorded in the office of the clerk of the town in which such parties propose to have the marriage solemnized, at least five days before such certificate is granted; and the book in which such record is made, shall be labeled on the outside of its cover, "Record of Intentions of Marriage," and be kept open to public inspection in the office of the clerk.

Upon application by both of the parties to an intended marriage, when both parties are residents of this state, or both parties are non-residents, or upon application of the party residing within the state when one of the parties is a resident and the other a non-resident, a judge of probate or the justice of a police, or municipal court, or trial justice, may after hearing such evidence as is presented, grant a certificate stating that in his opinion it is expedient that the intended marriage be solemnized without delay. Upon the presentation of such a certificate, or a copy thereof certified by the clerk of the court by which the certificate was issued, or in extraordinary or emergency cases when the death of either party is imminent, upon the authoritative request of a minister, clergyman, priest, rabbi or attending physician, the clerk or registrar of the city or town in which the intention to be joined in marriage has been filed shall at once issue the certificate as prescribed in this section.

The five days' notice required by the provisions of this section shall not apply to cases in which either of the parties to an intended marriage has arrived as an immigrant from a foreign country within five days.'

## Chapter 101.

**An Act Relating to Bonds in the Probate Court, Given by Executors and Administrators to Obtain License to Sell Real Estate, Amending Section Three of Chapter Seventy-six of the Revised Statutes.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 76, § 3, relating to bond of administrator or executor, in connection with sale of real estate, supplemented.** Section three of chapter seventy-six of the revised statutes is hereby amended by adding thereto the following paragraph:

**‘III. Conditions of bond, when deemed to have been performed.** Persons licensed as aforesaid shall be deemed to have performed the conditions of the aforesaid bond when they have complied with all of its terms and conditions and shall have charged themselves with the amount received from the sale of said real estate in an account duly filed and allowed by the judge of probate in and for the county having jurisdiction of the estate, which account must be filed within one year from the sale of the said real estate, and shall have given a new bond to the said judge of probate to cover the balance of property found in their hands upon the settlement of said account; and thereafter said persons shall be liable on said bond for the amount so received from the sale of said real estate, as shown in said account.’

Approved March 29, 1917.

## Chapter 102.

**An Act to Amend Section Thirty-one of Chapter Three of the Revised Statutes, so as to Provide for Maximum Number of Annual Reports of the Public Utilities Commission.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 3, § 31, relating to number of reports of state departments to be printed, amended.** Section thirty-one of chapter three of the revised statutes is hereby amended by striking out in the fifteenth line thereof the word “two” and substituting in place thereof the words ‘not exceeding three,’ so that said section, as amended, shall read as follows:

**‘Sec. 31. Public utilities commission may distribute 3,000 copies annually.** The number of copies of the following named reports to be printed hereafter at the expense of the state shall be determined by the governor and council but shall not exceed the following numbers: The report of the commissioner of agriculture, six thousand copies annually; the report of the bank commissioner, two thousand copies annually; the report of the commissioner of the department of labor and industry, four thousand copies biennially; the report of the trustees of juvenile institutions, fifteen hundred copies annually; the report of the warden and inspectors of state prison and jails, fifteen hundred copies annually; the report of the University of Maine, fifteen hundred copies annually; the report of the Maine Agricultural Experiment Station, one thousand copies

**CHAP. 103**

annually; the report of the registrar of vital statistics, two thousand copies annually; the report of the insurance commissioner, two thousand five hundred copies annually; the report of the public utilities commission, not exceeding three thousand copies annually; the report of the state superintendent of public schools, four thousand copies on each legislative year, and three thousand five hundred copies on the alternate year; the report of the treasurer of state, three thousand copies on each legislative year, and twenty-five hundred copies on the alternate year; the report of the trustees and officers of the state hospitals, two thousand copies on each legislative year, and one thousand five hundred copies on the alternate year; the report of the board of state assessors, four thousand copies on each legislative year, and three thousand copies on the alternate year; the report of the attorney general, one thousand copies biennially; the report of the land agent and forest commissioner, three thousand copies biennially; the report of the commissioners of inland fisheries and game, three thousand copies annually; the report of the commissioner of sea and shore fisheries, two thousand copies biennially; the report of the state board of health, forty-five hundred copies biennially; the report of the adjutant general, twelve hundred copies annually; the report of the librarian of the state library, one thousand copies biennially; the report of the Bath Military and Naval Orphan Asylum, one thousand copies biennially. Of the above named reports seventy-five copies may be retained by the binder for public documents, and at least six hundred and seventy-five copies shall be delivered to the state librarian, by the binder, for exchange, library use and general distribution, and the balance of the number of each report shall be delivered to the head of the departments or institution where it originated and was prepared for publication.'

Approved March 29, 1917.

## Chapter 103.

An Act to Amend Section Nine of Chapter Sixty-two of the Revised Statutes, in Regard to the Wearing of Badges.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 62, § 9, relating to the wearing of badges, etc., without authority, amended.** Section nine of chapter sixty-two of the revised statutes is hereby amended by adding thereto the words 'provided however that nothing in this chapter shall be construed to forbid the use of such badge as a measure of protection by the wife, mother, sister or daughter, of any man entitled to wear the same', so that said section as amended shall read as follows:

**'Sec. 9. Wife, mother, sister or daughter may use badge as measure of protection.** No person shall wear or exhibit the badge, button, emblem, decoration, insignia or charm, or shall assume or use the name of any benevolent, humane, fraternal or charitable corporation, incorporated under the laws of this state, or any other state, or of the United

States, or holding its charter or warrant under some recognized supreme grand body having authority to issue the same, or shall assume or claim to be a member thereof, or of a benevolent, humane, fraternal or charitable corporation or organization, the name of which shall so nearly resemble the name of any other corporation or organization existing prior to the organization of the corporation, organization or association of which such person may claim to be a member, the name whereof may be calculated to deceive the people with respect to any such prior corporation or organization, unless he shall be authorized under the laws, statutes, rules, regulations and by-laws of such former corporation or organization to wear such badge, button, emblem, decoration, insignia, or charm, or to use and assume such name as a member thereof. Provided however that nothing in this chapter shall be construed to forbid the use of such badge as a measure of protection, by the wife, mother, sister or daughter, of any man entitled to wear the same.'

Approved March 29, 1917.

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## Chapter 104.

An Act to Repeal Section Twenty-seven of Chapter Fifty-one of the Revised Statutes which Requires Cashiers of Banks to Return to Secretary of State Names and Residences of and Number of Shares Owned by Stockholders, and Amount of Stock Paid in.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 51, § 27, relating to return by cashiers to secretary of state of names of stockholders, repealed.** Section twenty-seven of chapter fifty-one of the revised statutes is hereby repealed.

Approved March 29, 1917.

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## Chapter 105.

An Act to Amend Section Nineteen of Chapter One Hundred Twenty-nine of the Revised Statutes, Relating to Trespasses on Improved Lands.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 129, § 19, relating to punishment of trespasses on improved lands, amended.** Section nineteen of chapter one hundred twenty-nine of the revised statutes is hereby further amended by inserting after the words "blueberry ground," in the third line thereof, the words 'arboretum, botanic garden'; also by inserting after the words "shrubs" in the fifth line thereof, the words, 'plants, flowers,' so that said section, as amended, shall read as follows:

**'Sec. 19. Person entering arboretum or botanic garden with intent to carry away plants, subject to like penalty.** Whoever wilfully commits any trespass, or knowingly authorizes or employs another to do so, by entering the garden, orchard, pasture, cranberry ground, improved blueberry ground, arboretum, botanic garden, or improved land, of another, with

**CHAP. 106**

intent to take, carry away, destroy or injure trees, shrubs, plants, flowers, grain, grass, hay, fruit, vegetables, turf or soil thereon, shall be punished by fine not exceeding one hundred dollars, and imprisonment for not more than ninety days.'

Approved March 29, 1917.

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**Chapter 106.**

An Act to Amend Section Twenty-seven of Chapter One Hundred and Twenty of the Revised Statutes Relating to Offenses against the Person of Female Children.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c 120, § 27, relating to crimes against children, amended. Section twenty-seven of chapter one hundred and twenty of the revised statutes is hereby amended by striking out the words "twenty-one" in the first line and by inserting in place thereof the word 'eighteen' and striking out the word "unmarried" in the second line, so that said section as amended shall read as follows:

'Sec. 27. Penalty for carnal knowledge of female child, by person more than 18 years of age. Whoever, being more than eighteen years of age, has carnal knowledge of the body of any female child, between the ages of fourteen and sixteen years, shall be punished by fine not exceeding five hundred dollars or by imprisonment for not more than two years. The provisions of this section shall not apply to cases of rape as defined in section sixteen of this chapter.'

Approved March 29, 1917.

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**Chapter 107.**

An Act to Amend Chapter Eighty-three, Section Five of the Revised Statutes, Relating to the Time and Place of Holding the County Commissioners Court in York County.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 83, § 5, relating to time of holding county commissioners courts, amended. Section five of chapter eighty-three of the revised statutes is hereby amended by striking out the entire paragraph of said section relating to the holding of county commissioners courts in York county, and substituting therefor the following paragraph, so that said paragraph of said section when amended shall read as follows:

'Relating to sessions in York county. York, terms of record on the first Tuesday of April and October at Alfred, and regular sessions shall be held on the first Tuesday of each month, January at Saco, all other months at Alfred.'

Approved March 29, 1917.



## Chapter 108.

An Act to Amend Section Ten of Chapter Seven of the Revised Statutes Relating to Disposition of Unused Ballots on Election Day.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 7, § 10, relating to disposition of ballots, on election day, amended. Section ten of chapter seven of the revised statutes is hereby amended by inserting the word 'entire' before the words "second set" in the nineteenth line thereof, and by adding after the last word of said section, the following: 'and shall be transmitted in like manner to the secretary of state as provided in section forty-five of this chapter. If said second set of ballots shall not be required for use as above, the same shall be kept intact by said city, town or plantation clerks for a period of three months from the day of election for which said ballots were provided, during which time any person who was a candidate on said ballot may inspect said second set of ballots at the office of the city, town or plantation clerk under the supervision of said clerk,' so that said section as amended shall read as follows:

'Sec. 10. Entire second set of ballots to be sent to polling place if needed. When not needed at election, second set of ballots to be retained by town clerk for three months, subject to inspection. The several city, town and plantation clerks, or municipal officers, shall send to the presiding election officer or officers of such voting place before the opening of the polls on the day of election one set of ballots so prepared, sealed and marked for such voting place, and a receipt of such delivery shall be returned to them from the presiding election officer or officers present, which receipt, with a record of the number of ballots sent, shall be kept in the clerk's office for one year. At the opening of the polls in each polling place the seals of the packages shall be publicly broken, and the packages shall be opened by the presiding election officer or officers, and the packages, books or blocks of ballots shall be delivered to the ballot clerks hereinafter provided for. The cards of instructions shall be immediately posted at or in each voting shelf or compartment provided in accordance with this chapter for the marking of ballots, and not less than three such cards and not less than five specimen ballots shall be immediately posted in or about the polling rooms outside the guard rails. The second set of ballots shall be retained by the respective city, town and plantation clerks until they are called for or needed for the purposes of voting, and upon the requisition in writing of the presiding election officer or officers of any voting place, the entire second set of ballots shall be furnished to such voting place in the manner above provided as to the first set, and shall be transmitted in like manner to the secretary of state as provided in section forty-five of this chapter. If said second set of ballots shall not be required for use as above, the same shall be kept intact by said city, town or plantation clerks for a period of three months from the day of election for which said ballots were provided, during which time any person who was a candidate on said ballot may inspect

**CHAP. 109**

said second set of ballots at the office of the city, town or plantation clerk under the supervision of said clerk.'

Approved March 29, 1917.

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## **Chapter 109.**

**An Act Additional to Chapter Five of the Revised Statutes, Imposing an Added Duty on Boards of Registration and Municipal Officers Acting as a Board of Registration.**

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 5, relating to registration of voters, supplemented. The following section is hereby added to chapter five of the revised statutes:

'Sec. 47. Boards of registration and municipal officers acting as such, when registering voter coming from another town in state, shall notify officers of latter town. Whenever an applicant for registration before any board of registration or the municipal officers of any town, acting as a board of registration, states his last voting place as a city or town in the state of Maine, and the board determines that the applicant is entitled to register, it shall immediately notify by mail the board of the city or town where such person last voted, of such registration and the board, receiving such notice, shall at its first meeting strike from its list the said name, if satisfied as to the identity of the person.'

Approved March 29, 1917.

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## **Chapter 110.**

**An Act to Amend Section Fifty-seven of Chapter Fifty-three of the Revised Statutes, Relating to Guaranty Capital of Mutual Insurance Companies.**

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 53, § 57, relating to the organization of mutual insurance companies, amended. That section fifty-seven of chapter fifty-three of the revised statutes be amended by adding thereto the following: 'The holders of such guaranty capital may receive dividends for the like amount provided for the guaranty capital of mutual fire insurance companies in section fifty-six, and said guaranty capital may be retired in the same manner as provided in said section and amendments thereto', so that the section as amended shall read as follows:

'Sec. 57. Holders of guaranty capital may receive dividends. How capital may be retired. Any mutual insurance company may be organized under the provisions of sections fifty-five to sixty-six, inclusive, with a guaranty capital of not less than one hundred thousand dollars, divided into shares of one hundred dollars each; and no policy shall be issued by such corporation until one fourth, at least, of its guaranty capital has been paid in, in cash, and invested as provided in section twenty. The

## CHAP. 111

holders of such guaranty capital may receive dividends for the like amount provided for the guaranty capital of mutual fire insurance companies in section fifty-six, and said guaranty capital may be retired in the same manner as provided in said section and amendments thereto.'

Approved March 29, 1917.

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## Chapter 111.

An Act Additional to Chapter Fifty-two of the Revised Statutes, Providing a Penalty for Copying the Records of Banking Institutions.

*Be it enacted by the People of the State of Maine, as follows:*

Officers or employees of trust companies, savings banks and institutions for savings, not to make copy of records for personal use. Any officer or employee of any savings bank, institution for savings, trust company, loan company, or loan and building association, making copies of any of the books, papers, records or documents belonging to or in the custody of any of the before named institutions, either for his own use or for the use of any other person other than in the ordinary and regular course of his duties as such officer or employee, shall be subject to a penalty of a fine not exceeding five hundred dollars or by imprisonment not exceeding one year or by both such fine and imprisonment.

Approved March 29, 1917.

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## Chapter 112.

An Act Relating to the Registration of Information Concerning Aliens.

**Preamble.** Whereas in the event of a state of war existing or imminent between the United States of America and any foreign country full information concerning the activities of aliens who are subjects of such foreign country is necessary for the preservation of the public peace and safety, and whereas such state of war may be imminent before the expiration of ninety days after the adjournment of this legislature, and whereas unless this act is passed as an emergency act it cannot take effect until approximately July one, nineteen hundred and seventeen, and whereas therefore an emergency exists within the contemplation of the constitution of the State of Maine and the public peace and safety will be preserved by the enactment of the following act, now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1.** Subjects of foreign countries at war with United States to register. Governor to issue proclamation. Duty imposed on hotel managers, etc. Penalty for violation. Whenever between the United States of America and any foreign country a state of war shall exist or shall be imminent the governor may by proclamation direct and require every subject or citizen of such foreign country within this state to appear within

**CHAP. 113**

twenty-four hours after such proclamation and from time to time thereafter within twenty-four hours after his arrival in this state before such public authorities as the governor may in such proclamation direct, and then and there such subject or citizen of such foreign country shall personally register his name, residence, business, length of stay and such information as the governor may from time to time in such proclamations prescribe. The person in control, whether owner, lessee, manager or proprietor, of each hotel, inn, boarding house, rooming house, building and private residence shall within twenty-four hours after such proclamation notify such public authorities of the presence therein of every such subject or citizen of such foreign country and shall each day thereafter notify such public authorities of the arrival thereat and departure therefrom of every such subject or citizen. A failure to comply with all the requirements of any such proclamation or to do or perform any of the acts herein provided shall be a misdemeanor and shall be punished by a fine not exceeding one thousand dollars or by imprisonment for not exceeding one year or both.

**Sec. 2. Emergency clause.** This act by reason of the emergency set forth in the preamble thereof shall take effect when approved.

Approved March 29, 1917.

## Chapter 113.

An Act to Amend Section Twenty-two of Chapter Fifty-two of the Revised Statutes with Reference to Deposits in Savings Banks and Institutions for Savings.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 52, § 22, relating to deposits in savings banks, amended. Section twenty-two of chapter fifty-two of the revised statutes is hereby amended by striking out the word "but shall not receive from any one depositor, directly or indirectly, over two thousand dollars, and no interest shall be paid to any one depositor for any amount of deposit, all dividends included, exceeding said sum, except for deposits of widows, orphans, administrators, executors, guardians, charitable institutions and as trust funds," and inserting in the place thereof the following: "but shall not receive, except for deposits of unmarried women, minors, administrators, executors, guardians, charitable or religious institutions and as trust funds, from any one depositor over five thousand dollars, and no dividends shall be paid, excepting upon the aforesaid excepted deposits, to any one depositor upon any amount of deposit exceeding said sum, but exclusive of dividends on said deposit, which may continue to be added thereto and receive dividends thereon. Deposits in more than one name may be received, provided the total of the amounts in any number of deposits in which the same name, excepting unmarried women, minors, administrators, executors, guardians, charitable or religious institutions and as trust funds, appears either singly or with others, shall not exceed exclusive of dividends as aforesaid, ten thousand dollars, and also pro-

vided the amount of an individual deposit shall at no time exceed, exclusive of dividends as aforesaid, five thousand dollars,' so that said section as amended shall read as follows:

**'Sec. 22. Maximum deposit increased.** Savings banks and institutions for savings may receive on deposit, for the use and benefit of depositors, sums of money offered for that purpose; but shall not receive, except for deposits of unmarried women, minors, administrators, executors, guardians, charitable or religious institutions and as trust funds, from any one depositor over five thousand dollars, and no dividends shall be paid, excepting upon the aforesaid excepted deposits, to any one depositor upon any amount of deposit exceeding said sum, but exclusive of dividends on said deposit, which may continue to be added thereto and receive dividends thereon. Deposits in more than one name may be received, provided the total of the amounts in any number of deposits in which the same name, excepting unmarried women, minors, administrators, executors, guardians, charitable or religious institutions and as trust funds, appears either singly or with others, shall not exceed, exclusive of dividends as aforesaid, ten thousand dollars, and also provided the amount of an individual deposit shall at no time exceed, exclusive of dividends as aforesaid, five thousand dollars. Whenever a deposit is made in trust the name and residence of the person for whom it is made, or the purpose for which the trust is created, shall be disclosed in writing to the bank, and the deposit shall be credited to the depositor as trustee for such person or purpose; and if no other notice of the existence and terms of a trust has been given in writing to the corporation, the deposit, with the interest thereon, may, in the event of the death of the trustee, be paid to the person for whom such deposit was made, or to his legal representative, or to some trustee appointed by the court for that purpose. The trustees may refuse any deposit at their pleasure.'

Approved March 29, 1917.

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## Chapter 114.

**An Act to Regulate the Payments of Appropriations for the Care, Treatment, Support and Education of Persons in Charitable or Benevolent Institutions not Wholly Owned or Controlled by the State.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charitable and benevolent institutions to submit itemized bills.** No part of any appropriation made by the state for the care, treatment, support or education of any person in any charitable or benevolent institution not wholly owned or controlled by the state shall be paid until duly itemized bills, showing the name of the person cared for, the date on which the service was rendered, and the rate charged therefor per day or week, shall have been audited and certified by the state auditor as prescribed by chapter two, section eighty-two, revised statutes, and any act amendatory thereof.

## CHAP. 115

**Sec. 2. Bill for services to be accompanied by certificate of state board of charities and corrections or secretary.** No such bill shall be allowed by the state auditor unless it bears a certificate of the state board of charities and corrections or its secretary, showing that satisfactory evidence has been filed in its office by the institution furnishing the service that the persons receiving care were in need of such treatment, support or education; that they were not able to pay for the same; that the rates charged are not greater than those charged to the general public for the same service, and that the rates charged to those who are able to pay are not less than the cost of the service rendered.

**Sec. 3. Person aided not to be deemed a pauper.** No person shall be deemed a pauper by reason of having received the benefit of any funds, either state or municipal, which shall have been expended in his behalf under the provisions of this act for care, support, medical or surgical treatment or education.

**Sec. 4. State auditor and state board of charities and corrections to furnish blank forms.** The state auditor shall prescribe and furnish such blank forms as are necessary for rendering the bills designated in section one of this act and the state board of charities and corrections shall prescribe such regulations and furnish such blank forms as are necessary for carrying out the provisions of section two of this act.

**Sec. 5. Inconsistent statutes repealed.** Section ninety-nine, chapter two, revised statutes, and all acts and parts of acts inconsistent herewith, are hereby repealed.

Approved March 29, 1917.

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## Chapter 115.

An Act to Amend Section One of Chapter Fifty-two of the Revised Statutes Relating to the Office of Bank Commissioner.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 52, § 1, relating to appointment of bank commissioner, amended.** Section one of chapter fifty-two of the revised statutes is hereby amended by striking out the word "three" before the word "years" in the second line of said section and inserting the word 'four' in the place thereof, and by striking out the words "subject to removal at any time by the appointing power" in the second and third lines and substituting in the place thereof the words 'and until his successor is appointed and qualified, and who may be removed from office by the governor and council for cause,' and by adding at the end of the section the following: 'Nor receive directly or indirectly any remuneration or fee of any kind from any bank, banking house, corporation, association or individual for examining any property or properties or securities. He shall give bond with securities in the sum of twenty thousand dollars to be approved by the state treasurer for the faithful performance of his duties, and the expense of securing said bond shall be paid by the state,' so that said section as amended shall read as follows:

**'Sec. 1. Term increased to four years. May be removed only for cause. Shall give bond. Not to receive fees or remuneration from banking house, etc.** The governor, with the advice and consent of the council, shall appoint a bank commissioner, who shall hold his office for four years, and until his successor is appointed and qualified, and who may be removed from office by the governor and council for cause, and shall not during his continuance in office hold any office in any bank in the state, nor receive directly or indirectly any remuneration or fee of any kind from any bank, banking house, corporation, association or individual for examining any property or properties or securities. He shall give bond with sureties in the sum of twenty thousand dollars, to be approved by the state treasurer for the faithful performance of his duties, and the expense of securing said bond shall be paid by the state.'

**Sec. 2. Term of present commissioner not affected.** Nothing contained in this act shall affect, modify, or control the term of the present incumbent, but this act shall affect and control the term of any incumbent of said office appointed after the date of the approval of this act.

Approved March 29, 1917.

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## Chapter 116.

An Act to Amend Section One of Chapter One Hundred and Thirty-eight of the Revised Statutes, Providing for the Payment by the County of Expenses Incurred by County Attorneys.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 138, § 1, relating to disposition of fines and payment of necessary expenses, in criminal cases, amended.** Section one of chapter one hundred and thirty-eight of the revised statutes is hereby amended by inserting after the word "accrued" in the eighth line of said section the words 'including actual expenses incurred by county attorneys in the performance of their official duties, payment of which is hereby expressly provided,' so that said section as amended shall read as follows:

**'Sec. 1. Expenses of county attorneys to be audited by county commissioners and paid by county.** All fines, forfeitures and costs in criminal cases shall be paid into the treasury of the county where the offense is prosecuted, for the use of such county, and all the costs and expenses attending the administration of criminal justice therein, shall be paid by said county, unless otherwise specially provided. The supreme judicial court, and the superior courts shall allow bills of costs accruing therein, but all other costs and expenses in criminal cases shall be audited by the commissioners of the county where they accrued, including actual expenses incurred by county attorneys in the performance of their official duties, payment of which is hereby expressly provided. Clerks of courts shall attest duplicate copies of all bills of costs allowed therein, and certificates of all fines and forfeitures imposed and accruing to the county, before the rising of the court, or immediately after, and deliver one of said copies

**CHAP. 117**

and certificates to the county treasurer, and retain one for the use of the county commissioners.'

Approved March 29, 1917.

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**Chapter 117.**

*An Act in Relation to Vacancies in Public Office.*

*Be it enacted by the People of the State of Maine, as follows:*

**Public office deemed vacant if person appointed or elected is unable to qualify.** Whenever any person elected or appointed to any public office is ineligible, dies or becomes incapacitated before qualifying for said office as required by law, the office shall be regarded as vacant for the purpose of filling the office by a new election or by appointment.

Approved March 29, 1917.

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**Chapter 118.**

*An Act to Amend Section One of Chapter Thirteen of the Revised Statutes Relating to the Election of County Treasurers.*

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 13, § 1, relating to the election and eligibility of county treasurers, amended.** Section one of chapter thirteen of the revised statutes is hereby amended by striking out in the first and second lines of said section the words "be chosen treasurer at each biennial state election," and inserting in place thereof the following: 'on the second Monday of September, nineteen hundred eighteen, and every four years thereafter, be chosen treasurer,' so that said section as amended shall read as follows:

**'Sec. 1. Tenure of office increased to four years.** In each county some resident thereof shall, on the second Monday of September, nineteen hundred eighteen, and every four years thereafter, be chosen treasurer by the ballots of persons authorized by the constitution to vote for representatives. Neither the attorney general, county attorney, clerk of courts, sheriff of the county nor any of his deputies, shall be county treasurer.'

Approved March 29, 1917.

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**Chapter 119.**

*An Act Additional to Chapter Fifty-three of the Revised Statutes, Relating to the Payment of Benefits.*

*Be it enacted by the People of the State of Maine, as follows:*

**Life insurance companies not to contract to pay benefits in anything but money.** No corporation organized or authorized under the laws of this state to transact life insurance or to pay benefits shall provide in any policy, certificate, contract, or agreement issued or made by it, for the payment of



any insurance, idemnity, or benefit, in services, goods, wares, or merchandise of any kind.

Approved March 29, 1917.

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## Chapter 120.

**An Act to Amend Section Seventeen of Chapter One Hundred Forty-five of the Revised Statutes, Relating to the Examination and Commitment of Persons to Insane Hospitals.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 145, § 17, relating to commitment to insane hospitals, by municipal officers, amended.** Section seventeen of chapter one hundred forty-five of the revised statutes is hereby amended by inserting after the word "trustees" in the nineteenth line thereof, the words: 'Pending the issue of such certificate by the municipal officers such superintendent may receive into his hospital any person so alleged on complaint to be insane, provided such person be accompanied by a copy of the complaint and physician's certificate, which certificate shall set forth that in the judgment of the physician the condition of said person is such that immediate restraint or detention is necessary for his comfort and safety, and provided further that unless within ten days thereafter said superintendent shall be furnished with the certificate hereinbefore provided for, the detention of such person shall cease,' so that said section as amended shall read as follows:

**'Sec. 17. Patients may be received without certificate of municipal officers. Shall not be detained longer than ten days unless certificate is furnished.** Insane persons, not thus sent to any hospital, shall be subject to examination as hereinafter provided. The municipal officers of towns shall constitute a board of examiners, and on complaint in writing of any blood relative, husband or wife of said alleged insane person, or of any justice of the peace, they shall immediately inquire into the condition of any person in said town alleged to be insane; shall appoint a time and place for a hearing by them of the allegations of said complaint, and shall cause to be given in hand to the person so alleged to be insane, at least twenty-four hours prior to the time of said hearing, a true copy of said complaint, together with a notice of the time and place of said hearing and that he has the right and will be given opportunity then and there to be heard in the matter; shall call before them all testimony necessary for a full understanding of the case; and if they think such person insane and that his comfort and safety or that of others interested, will thereby be promoted, they shall forthwith send him to one of the insane hospitals with a certificate stating the fact of his insanity, and the town in which he resided or was found at the time of examination, and directing the superintendent to receive and detain him until he is restored or discharged by law, or by the superintendent or trustees. Pending the issue of such certificate by the municipal officers such superintendent may receive into his hospital any person so alleged on complaint to be insane, provided such

**CHAP. 121**

person be accompanied by a copy of the complaint and physician's certificate, which certificate shall set forth that in the judgment of the physician the condition of said person is such that immediate restraint or detention is necessary for his comfort and safety, and provided further that unless within ten days thereafter said superintendent shall be furnished with the certificate hereinbefore provided for, the detention of such person shall cease. They shall keep a record of their doings, and furnish a copy to any interested person requesting and paying for it.'

Approved March 29, 1917.

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## Chapter 121.

**An Act to Amend Section Seventeen of Chapter Twelve of the Revised Statutes, Providing for Notice by Registers of Deeds to Municipal Officers of Real Estate Transfers.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 12, § 17, relating to the recording of deeds by registers, amended.** Section seventeen of chapter twelve of the revised statutes is hereby amended by adding after the word "records" in the last line of said section, the following words: 'It shall also be the duty of the register when a deed or instrument conveying real estate is filed for record to notify in writing, within twenty-four hours after such deed or instrument is so filed, the assessors of the city, town, plantation or unincorporated place in which the land is situated described therein, giving the names of the grantors and grantees, the residence of each, and the date of transfer. He shall receive for his services the sum of ten cents for the use of the county for each transfer to be paid by the treasurer of each city, town or plantation in which said land is situated on the first day of January and July of each year,' so that section as amended shall read as follows:

**'Sec. 17. Registers to notify assessors of municipalities, where real estate is located, within 24 hours.** Every register shall, at the time of receiving any deed or instrument for record, certify thereon the day and the time of day when it was received and filed; every such paper shall be considered as recorded at the time when it was received and such time shall be entered on the record thereof. Within one hour after its delivery to him, the register shall enter such time, the names of the grantor and grantee, and their places of residence, the nature of the instruments, the amount of the consideration named therein and the name of the town or incorporated place as shown by the instrument, in which the property conveyed is located, in a book kept for that purpose, and open to inspection in business hours; and he shall suffer no deed or instrument for the conveyance of real estate to be altered, amended or withdrawn, until it is fully recorded and examined. The records may be attested by the volume, and it shall be deemed to be sufficient attestation of such records, when each volume bears the attest with the written signature of the register or other person authorized by law to attest such records. It shall also be the duty of the register when a deed or instrument conveying real estate is filed for

## CHAP. 122

record to notify in writing, within twenty-four hours after such deed or instrument is so filed, the assessors of the city, town, plantation or unincorporated place in which the land is situated described therein, giving the names of the grantors and grantees, the residence of each, and the date of transfer. He shall receive for his services the sum of ten cents for the use of the county for each transfer, to be paid by the treasurer of each city, town or plantation in which said land is situated, on the first day of January and July of each year.'

(This Act is Amended by Chapter 299, P. L. of 1917.)

Approved March 29, 1917.

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## Chapter 122.

An Act in Addition to Section Thirteen of Chapter Fourteen of the Revised Statutes Relating to Adoptions in the Penobscot Tribe of Indians.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 14, § 13, relating to adoption into tribe of Penobscot Indians, amended.** Section thirteen of chapter fourteen of the revised statutes is hereby amended by adding thereto the following sentence: 'but no person hereafter adopted into the tribe shall be eligible to hold the office of governor, lieutenant-governor, or representative of said tribe,' so that said section as amended shall read as follows:

**'Sec. 13. Adopted persons not to hold office of governor, lieutenant-governor, or representative.** Whenever said tribal committee shall vote to adopt any person into said tribe, a certificate of such vote of adoption shall be signed by the person presiding at the meeting, and said certificate shall be filed with the agent of said tribe; and said adopted person shall thereafter be deemed and accepted to be a member of said tribe for all intents and purposes, and shall be enrolled as such upon the list of its members. But no person hereafter adopted into the tribe shall be eligible to hold the office of governor, lieutenant-governor, or representative of said tribe.'

Approved March 29, 1917.

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## Chapter 123.

An Act to Amend Section Eighty-one of Chapter Four of the Revised Statutes, Relating to Assistance to Towns in Establishing Free Public Libraries.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 4, s. 81, relating to assistance to towns in establishing free public libraries.** Section eighty-one of chapter four of the revised statutes is hereby amended by striking out the words "The librarian shall donate from the state library," in the first line thereof, and by substituting in place thereof the words 'The Maine Library Commission shall donate,' so that said section as amended shall read as follows:

**CHAP. 124**

**'Sec. 81. Donation to be made by Maine Library Commission, instead of state librarian.** The Maine Library Commission shall donate to any town having no free public library owned or controlled by the town, books purchased for that purpose, not exceeding fifty per cent. in value of the books and documents purchased by said town for the purpose of founding a free public library therein; said donation in no case to exceed one hundred dollars. No town shall be entitled to the benefits of this provision, until its legal voters, at a regularly called town meeting, have raised and appropriated not less than one hundred dollars for the purchase of books, and have provided for the care, custody and distribution of its own books, and of those to be donated by the state.'

Approved March 29, 1917.

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## Chapter 124.

An Act to Amend Section Seventy-five of Chapter Four of the Revised Statutes  
Relating to Free Public Libraries.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 4, § 75, relating to foundation of free public libraries by village corporations.** Section seventy-five of chapter four of the revised statutes is hereby amended by striking out, after the word "therefrom" in the fourth line thereof, the words "for the foundation and commencement of such library, a sum not exceeding two dollars and," so that said section as amended shall read as follows:

**'Sec. 75. Stipulation as to amount to be assessed for establishment eliminated.** Any village corporation located in a town where no free library exists, may establish a library within its limits for the free use of all its inhabitants; and may levy and assess a corporate tax and appropriate therefrom for its maintenance and increase annually a sum not exceeding one dollar for each ratable poll within the limits of such village corporation in the year next preceding. Village libraries established under this section shall be subject to all the duties and entitled to all the privileges prescribed by the laws relating to free public libraries in towns.'

Approved March 29, 1917.

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## Chapter 125.

An Act to Amend Section Eighty-two of Chapter Four of the Revised Statutes, Relating to Instruction of Librarians.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 4, § 82, relating to instruction to librarians at state library, amended.** Section eighty-two of chapter four of the revised statutes is hereby amended by inserting before the word "The" in the first line thereof the words 'On application to the state librarian or the Maine Library Commission,' and by inserting after the words "state library" in the second line

thereof, the words 'or at their own library,' so that said section as amended shall read as follows:

**'Sec. 82. Application to be made to state librarian or Library Commission. Instruction may be had at own library.** On application to the state librarian or the Maine Library Commission, the librarian or trustees of any free public library may receive instruction at the state library or at their own library, in cataloguing, and any other matters pertaining to the maintenance or administration of the library.'

Approved March 29, 1917.

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## Chapter 126.

An Act to Amend Section One of Chapter One Hundred and Thirty of the Revised Statutes, Relating to Offenses against the Public Health, Safety and Polioy.

**Preamble.** Whereas the peace, health and safety of all the citizens of our State make it wise to guard with extreme care the sources of water supply within the limits of the state, and,

Whereas, the present laws do not provide adequate punishment for those who may offend in this respect, and,

Whereas, the legislature deems the provisions of the following act to be an emergency requiring the passage of said act immediately necessary for the preservation of the public peace, health and safety, now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 130, § 1, relating to corruption of water supply, amended.** Section one of chapter one hundred thirty of the revised statutes is hereby amended by striking out the word "one" in the ninth line thereof and substituting therefor, the word 'five' and by striking out from the tenth line thereof the words "not exceeding one year" and substituting therefor the words 'for any term of years', so that said section as amended shall read as follows:

**'Sec. 1. Penalty increased.** Whoever knowingly and wilfully poisons, defiles or in any way corrupts the waters of any well, spring, brook, lake, pond, river or reservoir, used for domestic purposes for man or beast, or knowingly corrupts the sources of any public water supply, or the tributaries of said sources of supply in such manner as to affect the purity of the water so supplied, or knowingly defiles such water in any manner, whether the same be frozen or not, or puts the carcass of any dead animal or other offensive material in said waters, or upon the ice thereof, shall be punished by a fine not exceeding five thousand dollars, or by imprisonment for any term of years.'

**Sec. 2. Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved March 29, 1917.

## Chapter 127.

An Act Amending Section Ten of Chapter One Hundred and Twenty-nine of the Revised Statutes Relating to Malicious Mischiefs and Trespases.

**Preamble.** Whereas the present condition of national affairs may induce ill considered and wanton attempts to be made to injure or destroy dams, canals, mill machinery, power engines and electrical fixtures, bridges and ways, and,

Whereas the present laws of the State of Maine do not provide adequate punishment and penalties for the commission of such wilful and wanton acts, and,

Whereas, the public peace, health and safety render the provisions of the following act in the opinion of the legislature to be an emergency rendering the passage of said act immediately necessary for the preservation of the public peace, health and safety, now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 129, § 10, relating to malicious injuries to dams, reservoirs, etc., amended.** Section ten of chapter one hundred twenty-nine of the revised statutes is hereby amended by striking out from the tenth and eleventh lines thereof, the words "for not more than three years or by fine not exceeding five hundred dollars" and inserting in place thereof the words 'for any term of years or by fine not exceeding ten thousand dollars', so that said section as amended shall read as follows:

**'Sec. 10. Penalty increased.** Whoever wilfully or maliciously injures, removes or destroys any dam, reservoir, canal, trench or their appurtenances, or the gear or machinery of a mill or manufactory; draws off the water from a mill-pond, canal or trench; destroys or injures any engine or its apparatus for the extinguishment of fire, or any posts, glass caps, wires or other material used in the construction and operation of a telegraph, telephone, electric light or electric power line; removes, injures or destroys any public or toll-bridge or places any obstruction on such bridge or on any public road, with intent to injure persons or property passing thereon, shall be punished by imprisonment for any term of years or by fine not exceeding ten thousand dollars.'

**Sec. 2. Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved March 29, 1917.

## Chapter 128.

An Act to Prevent Injuries to Property used for Public Purposes, and Amending Section Four of Chapter One Hundred and Twenty-nine of the Revised Statutes.

**Preamble.** Whereas, the present condition of national affairs may induce ill considered and wanton attempts to be made to injure or destroy public buildings and water works, and,

## CHAP. 129

Whereas, the present laws of the State of Maine do not provide adequate punishment and penalties for the commission of such wilful and wanton acts, and,

Whereas, the public peace, health and safety render the provisions of the following act in the opinion of the legislature to be an emergency rendering the passage of said act immediately necessary for the preservation of the public peace, health and safety, now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 129, § 4, relating to malicious mischiefs to property of water systems, amended.** Section four of chapter one hundred twenty-nine of the revised statutes is hereby amended by striking out all of said section and substituting therefor the following, so that said section as amended shall read:

**'Sec. 4. Public buildings, wharves, fortifications, etc., included; penalty increased.** Whoever knowingly and wilfully destroys or injures any public building, armory, breast work, trench, fortification, wharf, pier or dock or whoever knowingly and wilfully destroys or injures any property, conduit, pipe line, reservoir, structure or apparatus used in supplying water to the public or to any portion thereof, shall be punished by a fine not exceeding five thousand dollars or by imprisonment for any term of years.'

**Sec. 2. Emergency clause.** In view of the emergency cited in the preamble this act shall take effect when approved.

Approved March 29, 1917.

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## Chapter 129.

An Act to Establish a Legislative Reference Bureau in the State Library.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. State librarian to establish legislative reference bureau.** The state librarian is hereby authorized to establish in the state library a legislative reference bureau which shall collect, arrange, and place on file books, pamphlets and other material relating to legislation, shall prepare abstracts of laws in other states and present such other information as may be useful and necessary to the legislature in the performance of its legislative duties.

**Sec 2. May incur expense and employ assistance.** The state librarian shall employ such assistance and incur such expense as may be necessary for the proper administration of the bureau.

Approved March 29, 1917.

## Chapter 130.

An Act Amending Sections Three and Twenty of Chapter One Hundred Forty-four, Section Twenty-nine of Chapter One Hundred Seventeen, Section Twenty-five of Chapter One Hundred Thirty-seven, of the Revised Statutes, and making Additional Provisions Pertaining to Inmates of State Juvenile Institutions, and Increasing the Salary of the Superintendent of the State School for Boys.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 144, § 3, relating to commitment to state school for boys, amended.** Section three of chapter one hundred forty-four of the revised statutes is hereby amended by striking out the word "eight" in the second line of said section, and inserting in the place thereof the word 'eleven', and by striking out the word "sixteen" in the second line thereof, and inserting in the place thereof the word 'seventeen', so that said section as amended shall read as follows:

**'Sec. 3. Age limits changed to eleven to seventeen years.** When a boy between the ages of eleven and seventeen years is convicted before any court or trial justice having jurisdiction of the offense, of an offense punishable by imprisonment in the state prison, not for life, or in the county jail, or in any house of correction, such court or justice may order his commitment to the state school for boys or sentence him to the punishment provided by law for the same offense. If to said school, the commitment shall be conditioned that if such boy is not received or kept there for the full term of his minority, unless sooner discharged by the trustees as provided in section six, or released on probation as provided in section nine, he shall then suffer the punishment provided by law, as aforesaid, as ordered by the court or justice; but no boy shall be committed to said school who is deaf and dumb, non compos, or insane.'

**Sec. 2. R. S., c. 144, § 20, relating to commitment to state school for girls, amended.** Section twenty of chapter one hundred forty-four of the revised statutes is hereby amended by striking out the word "six" in the second line of said section, and inserting in the place thereof the word 'nine', and by striking out the word "sixteen" in the second line of said section, and inserting in the place thereof the word 'seventeen', so that said section as amended shall read as follows:

**'Sec. 20. Age limits changed to nine to seventeen years.** A parent or guardian of any girl between the ages of nine and seventeen years, the municipal officers, or any three respectable inhabitants of any city or town, where she may be found, may complain in writing to the judge of probate or any trial justice in the county, or to the judge of the municipal or police court for such city or town, alleging that she is leading an idle or vicious life, or has been found in circumstances of manifest danger of falling into habits of vice or immorality, and request that she may be committed to the guardianship of the officers of said school. The judge or justice shall appoint a time and place of hearing, and order notice thereof to all persons entitled to be heard, and at such time and place, may examine into the truth of said allegations, and if satisfactory evidence



## CHAP. 180

thereof is adduced, and it appears that the welfare of such girl requires it, he may order her to be committed to the custody and guardianship of the officers of said school during her minority, unless sooner discharged by process of law. All precepts issued in pursuance of this section may be executed by any officer who may execute civil process; and the fees of judges of municipal and police courts, trial justices and officers shall be the same as for similar services in civil cases, and, when not otherwise provided for shall be audited by the county commissioners and paid from the county treasury.'

**Sec. 3. Incurrable girl, sixteen years of age and over, may be transferred to reformatory for women. Inconsistent statutes repealed.** If, in the opinion of the trustees of juvenile institutions, any girl, under the guardianship of the state school for girls, or who may hereafter be committed thereto, who has attained the age of sixteen years, is incurrable, they may certify the same on the original mittimus and have it signed by the president or secretary of the board of trustees in behalf of said trustees; whereupon said girl shall be transferred from said state school for girls to the reformatory for women, together with the original mittimus and certificate thereon. It shall be the duty of the officers of the reformatory for women to receive any girl so transferred, and the remainder of the original commitment shall be executed at the reformatory for women. After said transfer has been made, the rights and duties of the trustees of juvenile institutions over and toward said girl shall cease, and the rights and duties of the trustees of the reformatory for women shall be the same as in case the girl had been originally committed to said reformatory. Any part of chapter one hundred forty-four of the revised statutes inconsistent with this section is hereby repealed.

**Sec. 4. Inmates of either institution may be recommitted to school for feeble minded.** Any boy now under the guardianship of the state school for boys, or who may hereafter be committed there, who is feeble minded, or who, after his commitment, becomes feeble minded, or any girl now under the guardianship of the state school for girls, or who may hereafter be committed there, who is feeble minded, or who, after her commitment, becomes feeble minded, may be transferred by the trustees of juvenile institutions, to the Maine School for the Feeble Minded. In such event the trustees of juvenile institutions, by their president or secretary, shall endorse on the original mittimus the fact that the boy or girl is feeble minded, and attach thereto a certificate from a regular practicing physician within the state certifying that the boy or girl is feeble minded, and shall obtain from the superintendent of the said school for the feeble minded a certificate stating in substance that such boy or girl will be received under the provisions of section fifty-one of chapter one hundred and forty-five of the revised statutes. Then upon the delivery of the boy or girl to the officers of the Maine School for the Feeble Minded, together with the original mittimus and certificates herein provided, it shall be the duty of the officers of the Maine School for the Feeble Minded to receive such boy or girl, and thereafter the trustees of juvenile institutions shall cease to have any authority over such boy or girl, and the hospital trustees

**CHAP. 180**

shall have the same authority over said boy or girl as they would have if he or she had been originally committed to the Maine School for Feeble Minded.

**Sec. 5. May be recommitted to either of state hospitals for insane.** Any boy now under the guardianship of the state school for boys, or who may hereafter be committed there, who is insane, or who, after his commitment, becomes insane, or any girl now under the guardianship of the state school for girls, or who may hereafter be committed there, who is insane, or who, after her commitment, becomes insane, may be transferred by the trustees of juvenile institutions to either of the state hospitals for insane. In such event the trustees of juvenile institutions, by their president or secretary, shall endorse on the original mittimus the fact that the boy or girl is insane, and attach thereto a certificate from a regular practicing physician within the state, certifying that the boy or girl is insane. Upon the delivery of the boy or girl to the officers of either of the state hospitals for insane, together with the original mittimus and certificates herein provided, it shall be the duty of the officers of either of the state hospitals for insane to receive such boy or girl, and thereafter the trustees of juvenile institutions shall cease to have any authority over such boy or girl, and the hospital trustees shall have the same authority over said boy or girl as they would have if he or she had been originally committed to either of the state hospitals for insane.

**Sec. 6. R. S., c. 117, § 29, relating to salary of superintendent of state school for boys, amended.** Section twenty-nine of chapter one hundred seventeen of the revised statutes is hereby amended by striking out the words "one thousand" in the second and third lines of said section, and inserting in the place thereof the words 'fifteen hundred', so that said section as amended shall read as follows:

**'Sec. 29. Increased to fifteen hundred dollars a year.** The superintendent of the state school for boys shall receive an annual salary of fifteen hundred dollars.'

**Sec. 7. R. S., c. 137, § 25, relating to indeterminate sentences, amended.** Section twenty-five of chapter one hundred thirty-seven of the revised statutes is hereby amended by striking out the words "or the state school for boys" in the second and third lines of said section, and by striking out the words "and may not fix a definite term in said state school for boys" in the fourth and fifth lines of said section, so that said section as amended shall read as follows:

**'Sec. 25. Not to apply to sentences to state school for boys.** When any person shall be convicted of crime the punishment for which prescribed by law, may be imprisonment in the state prison, the court imposing sentence, shall not fix a definite term of imprisonment in said state prison, but shall or may fix a minimum term of imprisonment, which shall not be less than six months in any case. The judge shall at the time of pronouncing such sentence recommend and state therein what, in his judgment, would be a proper maximum penalty in the case at bar not exceeding

the maximum penalty provided by law, and the penalty so stated shall be the maximum sentence in such case. He shall before or at the time of passing such sentence ascertain by examination of such prisoner on oath, or otherwise, and in addition to such oath, by such other evidence as can be obtained, any facts tending to indicate briefly the cause of the criminal character or conduct of such prisoner, which facts, and such other facts as shall appear to be pertinent in the case, he shall cause to be entered upon the minutes of the court.'

Approved March 29, 1917.

## Chapter 131.

An Act Amending Section Fifty of Chapter Fifty-five of the Revised Statutes, Authorizing Complaint by a Utility against Itself, and Empowering the Public Utilities Commission to Order Refund.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1.** R. S., c. 55, § 50, relating to complaint against public utility made by itself. Section fifty of chapter fifty-five of the revised statutes is hereby amended so as to read as follows:

**'Sec. 50.** Proceedings when complaint of discriminatory charge is not made by utility. Public utilities commission may order refund. Any public utility may make complaint as to any matter affecting its own product, service or charges, with like effect as though made by any ten persons, firms, corporations or associations. And the commission may authorize reparation or adjustment where the utility admits that a rate charged was excessive or unreasonable, or collected through error, and it appears that the utility has subsequently within thirty days published the rate to which the reduction is authorized in place of the rate which is admitted to be excessive or unreasonable; provided, however, that such new rate so published shall continue in force one year unless sooner changed by the order or with the consent of the commission. Within six months after the rendering of any service within the state of Maine by any public utility, for which service a rate, toll or charge is made by such utility, any person, firm, corporation or association aggrieved may complain to the commission that the rate, toll or charge exacted for such service is unjustly discriminatory against him, or it, either because it is higher than that charged by the same utility for the same service, or service of similar value and cost, rendered to other users or consumers thereof, or because the utility has failed, without reasonable cause to make a more favorable rate, toll or charge, published by it for the same or a similar service, as aforesaid, applicable to the said user or consumer, or to the class of users or consumers to which he or it belongs, or at the place at which said service is rendered. Within six months after an order has been made authorizing reparation or adjustment under the second sentence of this section, any person, firm, corporation or association aggrieved may complain to the commission that he or it is entitled to reparation from the same utility by reason of the payment of the same rates which said utility admits

are excessive or unreasonable, or collected through error; provided, said utility might lawfully have been permitted to make such reparation on its own petition, and, provided further, such person, firm, corporation or association shall have made written request for such utility to file its own petition for authority to make such reparation or adjustment not less than thirty days before filing the aforesaid complaint. Upon receipt of either of the aforesaid complaints the commission shall make such investigation as it deems necessary to determine whether a hearing ought to be given thereon. It may order a hearing upon such notice to said utility as it deems just and reasonable. If, upon such hearing, the commission shall decide that the complainant has been injured in either of the ways herein mentioned, it shall find what sum said utility ought to refund or repay to said complainant on account thereof, which said sum said utility shall have the right to refund. If it shall refuse or neglect to make such refund within thirty days, the party aggrieved thereby may maintain an action in the courts of this state to recover said amount, and in the trial thereof the findings of this commission shall be prima facie evidence of the truth of the facts found by it, and no utility shall be permitted to avail itself of the defense of such action that the service involved was in fact made on the published tariff rate in force at the time it was rendered; but no utility making a refund upon the order of the commission or pursuant to judgment of the court as herein provided, shall be liable for any penalty or forfeiture, or subject to any prosecution under the laws of this state on account of making such refund.'

**Sec. 2. Provisions retroactive.** Any person, firm, corporation or association aggrieved in any of the ways specified in the foregoing section at any time since the first day of November, one thousand nine hundred and fourteen, may have relief under said section on application therefor within three months after this act takes effect, notwithstanding said period of six months shall have elapsed.

Approved March 29, 1917.

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## Chapter 132.

An Act to make Uniform the Law of Bills of Lading.

*Be it enacted by the People of the State of Maine, as follows:*

### The Issue of Bills of Lading.

**Sec. 1. Bills governed by this act.** Bills of lading issued by any common carrier for the transportation of goods within this state shall be governed by this act.

**Sec. 2. Form of bills. Essential terms.** Every bill must embody within its written or printed terms:

- (a) The date of its issue,
- (b) The name of the person from whom the goods have been received,

- (c) The place where the goods have been received,
- (d) The place to which the goods are to be transported,
- (e) A statement whether the goods received will be delivered to a specified person, or to the order of a specified person,
- (f) A description of the goods or of the packages containing them which may, however, be in such general terms as are referred to in section twenty-three, and
- (g) The signature of the carrier.

A negotiable bill shall have the words "order of" printed thereon immediately before the name of the person upon whose order the goods received are deliverable.

A carrier shall be liable to any person injured thereby for the damage caused by the omission from a negotiable bill of any of the provisions required in this section.

**Sec. 3. Form of bills. What terms may be inserted.** A carrier may insert in a bill issued by him any other terms and conditions, provided that such terms and conditions shall not:

- (a) Be contrary to law or public policy, or
- (b) In any wise impair his obligation to exercise at least that degree of care in the transportation and safe-keeping of the goods intrusted to him which a reasonable careful man would exercise in regard to similar goods of his own.

**Sec. 4. Definition of non-negotiable or straight bill.** A bill in which it is stated that the goods are consigned or destined to a specified person, is a non-negotiable or straight bill.

**Sec. 5. Definition of negotiable or order bill.** A bill in which it is stated that the goods are consigned or destined to the order of any person named in such bill, is a negotiable or order bill.

Any provision in such a bill that it is non-negotiable shall not affect its negotiability within the meaning of this act.

**Sec. 6. Negotiable bills must not be issued in sets.** Negotiable bills issued in this state for the transportation of goods therein, shall not be issued in parts or sets.

If so issued the carrier issuing them shall be liable for failure to deliver the goods described therein to any one who purchases a part for value in good faith, even though the purchase be after the delivery of the goods by the carrier to a holder of one of the other parts.

**Sec. 7. Duplicate negotiable bills must be so marked.** When more than one negotiable bill is issued in this state for the same goods to be transported to any place within the state, the word "duplicate" or some other word or words indicating that the document is not an original bill shall be placed plainly upon the face of every such bill, except the one first issued. A carrier shall be liable for the damage caused by his failure so to do to any one who has purchased the bill for value in good faith as an original, even though the purchase be after the delivery of the goods by the carrier to the holder of the original bill.

**CHAP. 132**

**Sec. 8. Non-negotiable bills shall be so marked.** A non-negotiable bill shall have placed plainly upon its face by the carrier issuing it "non-negotiable" or "not negotiable."

This section shall not apply, however, to memoranda or acknowledgments of an informal character.

**Sec. 9. Insertion of name of person to be notified.** The insertion in a negotiable bill of the name of a person to be notified of the arrival of the goods shall not limit the negotiability of the bill, or constitute notice to a purchaser thereof of any rights or equities of such person in the goods.

**Sec. 10. Acceptance of bill indicates assent to its terms.** Except as otherwise provided in this act, where a consignor receives a bill and makes no objection to its terms or conditions at the time he receives it, neither the consignor nor any person who accepts delivery of the goods, nor any person who seeks to enforce any provision of the bill, shall be allowed to deny that he is bound by such terms and conditions, so far as they are not contrary to law or public policy.

**Obligations and Rights of Carriers upon their Bills of Lading.**

**Sec. 11. Obligation of carrier to deliver.** A carrier, in the absence of some lawful excuse, is bound to deliver goods upon a demand made either by the consignee named in the bill for the goods, or if the bill is negotiable, by the holder thereof, if such demand is accompanied by:

(a) An offer in good faith to satisfy the carrier's lawful lien upon the goods,

(b) An offer in good faith to surrender, properly indorsed, the bill which was issued for the goods, if the bill is negotiable, and

(c) A readiness and willingness to sign, when the goods are delivered, an acknowledgment that they have been delivered, if such signature is requested by the carrier.

In case the carrier refuses or fails to deliver the goods in compliance with a demand by the consignee or holder so accompanied, the burden shall be upon the carrier to establish the existence of a lawful excuse for such refusal or failure.

**Sec. 12. Justification of carrier in delivering.** A carrier is justified, subject to the provisions of the three following sections, in delivering goods to one who is:

(a) A person lawfully entitled to the possession of the goods, or

(b) The consignee named in a non-negotiable bill for the goods, or

(c) A person in possession of a negotiable bill for the goods by the terms of which the goods are deliverable to his order, or which has been indorsed to him or in blank by the consignee or by the mediate or immediate indorsee of the consignee.

**Sec. 13. Carrier's liability for misdelivery.** Where a carrier delivers goods to one who is not lawfully entitled to the possession of them, the carrier shall be liable to any one having a right of property or possession in the goods if he delivered the goods otherwise than as authorized by

## CHAP. 182

subdivisions (b) and (c) of the preceding section; and, though he delivered the goods as authorized by either of said subdivisions, he shall be so liable if prior to such delivery he:

(a) Had been requested, by or on behalf of a person having a right of property or possession in the goods, not to make such delivery, or

(b) Had information at the time of the delivery that it was to a person not lawfully entitled to the possession of the goods.

A request or information to be effective within the meaning of this section must be given to an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a request or information, and must be given in time to enable the officer or agent to whom it is given, acting with reasonable diligence, to stop delivery of the goods.

**Sec. 14. Negotiable bills must be cancelled when goods delivered.** Except as provided in section twenty-seven, and except when compelled by legal process, if a carrier delivers goods for which a negotiable bill had been issued, the negotiation of which would transfer the right to the possession of the goods, and fails to take up and cancel the bill, such carrier shall be liable for failure to deliver the goods to any one who for value and in good faith purchases such bill, whether such purchaser acquired title to the bill before or after the delivery of the goods by the carrier, and notwithstanding delivery was made to the person entitled thereto.

**Sec. 15. Negotiable bills must be cancelled or marked when parts of goods delivered.** Except as provided in section twenty-seven and except when compelled by legal process, if a carrier delivers part of the goods for which a negotiable bill had been issued and fails either:

(a) To take up and cancel the bill, or

(b) To place plainly upon it a statement that a portion of the goods has been delivered, with a description, which may be in general terms, either of the goods or packages that have been so delivered or of the goods or packages which still remain in the carrier's possession, he shall be liable for failure to deliver all the goods specified in the bill, to any one who for value and in good faith purchases it, whether such purchaser acquired title to it before or after the delivery of any portion of the goods by the carrier, and notwithstanding such delivery was made to the person entitled thereto.

**Sec. 16. Altered bills.** Any alteration, addition or erasure in a bill after its issue without authority from the carrier issuing the same either in writing or noted on the bill shall be void, whatever be the nature and purpose of the change, and the bill shall be enforceable according to its original tenor.

**Sec. 17. Lost or destroyed bills.** Where a negotiable bill has been lost or destroyed, a court of competent jurisdiction may order the delivery of the goods upon satisfactory proof of such loss or destruction and upon the giving of a bond with sufficient surety to be approved by the court to protect the carrier or any person injured by such delivery from any

**CHAP. 182**

liability or loss, incurred by reason of the original bill remaining outstanding. The court may also in its discretion order the payment of the carrier's reasonable costs and counsel fees.

The delivery of the goods under an order of the court as provided in this section shall not relieve the carrier from liability to a person to whom the negotiable bill has been or shall be negotiated for value without notice of the proceedings or of the delivery of the goods.

**Sec. 18. Effect of duplicate bills.** A bill upon the face of which the word "duplicate" or some other word or words indicating that the document is not an original bill is placed plainly shall impose upon the carrier issuing the same the liability of one who represents and warrants that such bill is an accurate copy of an original bill properly issued, but no other liability.

**Sec. 19. Carrier can not set up title in himself.** No title to goods or right to their possession, asserted by a carrier for his own benefit, shall excuse him from liability for refusing to deliver the goods according to the terms of a bill issued for them, unless such title or right is derived directly or indirectly from a transfer made by the consignor or consignee after the shipment, or from the carrier's lien.

**Sec. 20. Interpleader of adverse claimants.** If more than one person claims the title or possession of goods, the carrier may require all known claimants to interplead, either as a defence to an action brought against him for non-delivery of goods, or as an original suit, which ever is appropriate.

**Sec. 21. Carrier has reasonable time to determine validity of claims.** If some one other than the consignee or person in possession of the bill, has a claim to the title or possession of the goods, and the carrier has information of such claim, the carrier shall be excused from liability for refusing to deliver the goods either to the consignee or person in possession of the bill, or to the adverse claimant, until the carrier has had a reasonable time to ascertain the validity of the adverse claim or to bring legal proceedings to compel all claimants to interplead.

**Sec. 22. Adverse title is no defence, except as above provided.** Except as provided in the two preceding sections and in section twelve no right or title of a third person unless enforced by legal process shall be a defence to an action brought by the consignee of a non-negotiable bill or by the holder of a negotiable bill against the carrier for failure to deliver the goods on demand.

**Sec. 23. Liability for non-receipt or misdescription of goods.** If a bill of lading has been issued by a carrier or on his behalf by an agent or employee the scope of whose actual or apparent authority includes the issuing of bills of lading, the carrier shall be liable to:

- (a) The consignee named in a non-negotiable bill, or
- (b) The holder of a negotiable bill,

who has given value in good faith relying upon the description therein of the goods, for damages caused by the non-receipt by the carrier or a con-



## CHAP. 182

necting carrier of all or part of the goods or their failure to correspond with the description thereof in the bill at the time of its issue.

If, however, the goods are described in a bill merely by a statement of marks or labels upon them or upon packages containing them, or by a statement that the goods are said to be goods of a certain kind or quantity, or in a certain condition, or it is stated in the bill that packages are said to contain goods of a certain kind or quantity or in a certain condition, or that the contents or condition of the contents of packages are unknown, or words of like purport are contained in the bill, such statements, if true, shall not make liable the carrier issuing the bill, although the goods are not of the kind or quantity or in the condition which the marks or labels upon them indicate, or of the kind or quantity or in the condition they were said to be by the consignor. The carrier may, also, by inserting in the bill the words "shipper's load and count" or other words of like purport indicate that the goods were loaded by the shipper and the description of them made by him; and if such statement be true, the carrier shall not be liable for damages caused by the improper loading or by the non-receipt or by the misdescription of the goods described in the bill.

**Sec. 24. Attachment or levy upon goods for which a negotiable bill has been issued.** If goods are delivered to a carrier by the owner or by a person whose act in conveying the title to them to a purchaser for value in good faith would bind the owner and a negotiable bill is issued for them, they can not thereafter, while in the possession of the carrier, be attached by garnishment or otherwise, or be levied upon under an execution, unless the bill be first surrendered to the carrier or its negotiation enjoined. The carrier shall in no such case be compelled to deliver the actual possession of the goods until the bill is surrendered to him or impounded by the court.

**Sec. 25. Creditor's remedies to reach negotiable bills.** A creditor whose debtor is the owner of a negotiable bill shall be entitled to such aid from courts of appropriate jurisdiction by injunction and otherwise in attaching such bill, or in satisfying the claim by means thereof as is allowed at law or in equity in regard to property which can not readily be attached or levied upon by ordinary legal process.

**Sec. 26. Negotiable bill must state charges for which lien is claimed.** If a negotiable bill is issued the carrier shall have no lien on the goods therein mentioned, except for charges on those goods for freight, storage, demurrage and terminal charges, and expenses necessary for the preservation of the goods or incident to their transportation subsequent to the date of the bill, unless the bill expressly enumerates other charges for which a lien is claimed. In such case there shall also be a lien for the charges enumerated so far as they are allowed by law and the contract between the consignor and the carrier.

**Sec. 27. Effect of sale.** After goods have been lawfully sold to satisfy a carrier's lien, or because they have not been claimed, or because they are perishable or hazardous, the carrier shall not thereafter be liable for failure to deliver the goods to the consignee or owner of the goods, or to a

**CHAP. 183**

holder of the bill given for the goods when they are shipped, even if such bill be negotiable.

**Negotiation and Transfer of Bills.**

**Sec. 28. Negotiation of negotiable bills by delivery.** A negotiable bill may be negotiated by delivery where, by the terms of the bill, the carrier undertakes to deliver the goods to the order of a specified person, and such person or a subsequent indorsee of the bill has indorsed it in blank.

**Sec. 29. Negotiation of negotiable bills by indorsement.** A negotiable bill may be negotiated by the indorsement of the person to whose order the goods are deliverable by the tenor of the bill. Such indorsement may be in blank or to a specified person. If indorsed to a specified person, it may be negotiated again by the indorsement of such person in blank or to another specified person. Subsequent negotiation may be made in like manner.

**Sec. 30. Transfer of bills.** A bill may be transferred by the holder by delivery, accompanied with an agreement, express or implied, to transfer the title to the bill or to the goods represented thereby.

A non-negotiable bill can not be negotiated, and the indorsement of such a bill gives the transferee no additional right.

**Sec. 31. Who may negotiate a bill.** A negotiable bill may be negotiated by any person in possession of the same, however such possession may have been acquired if, by the terms of the bill, the carrier undertakes to deliver the goods to the order of such person, or if at the time of negotiation the bill is in such form that it may be negotiated by delivery.

**Sec. 32. Rights of person to whom a bill has been negotiated.** A person to whom a negotiable bill has been duly negotiated acquires thereby:

(a) Such title to the goods as the person negotiating the bill to him had or had ability to convey to a purchaser in good faith for value, and also such title to the goods as the consignee and consignor had or had power to convey to a purchaser in good faith for value, and

(b) The direct obligation of the carrier to hold possession of the goods for him according to the terms of the bill as fully as if the carrier had contracted directly with him.

**Sec. 33. Rights of person to whom a bill has been transferred.** A person to whom a bill has been transferred but not negotiated acquires thereby as against the transferor, the title to the goods, subject to the terms of any agreement with the transferor. If the bill is non-negotiable, such person also acquires the right to notify the carrier of the transfer to him of such bill, and thereby to become the direct obligee of whatever obligations the carrier owed to the transferor of the bill immediately before the notification.

Prior to the notification of the carrier by the transferor or transferee of a non-negotiable bill, the title of the transferee to the goods and the right to acquire the obligation of the carrier may be defeated by garnishment or by attachment or execution upon the goods by a creditor of the transferor, or by a notification to the carrier by the transferor or a subsequent pur-

chaser from the transferor of a subsequent sale of the goods by the transferor.

A carrier has not received notification within the meaning of this section unless an officer or agent of the carrier, the actual or apparent scope of whose duties includes action upon such a notification, has been notified; and no notification shall be effective until the officer or agent to whom it is given has had time with the exercise of reasonable diligence to communicate with the agent or agents having actual possession or control of the goods.

**Sec. 34. Transfer of negotiable bill without indorsement.** Where a negotiable bill is transferred for value by delivery, and the indorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to indorse the bill, unless a contrary intention appears. The negotiation shall take effect as of the time when the indorsement is actually made. This obligation may be specifically enforced.

**Sec. 35. Warranties on sale of bill.** A person who negotiates or transfers for value a bill by indorsement or delivery, including one who assigns for value a claim secured by a bill, unless a contrary intention appears, warrants:

- (a) That the bill is genuine,
- (b) That he has a legal right to transfer it,
- (c) That he has knowledge of no fact which would impair the validity or worth of the bill, and
- (d) That he has a right to transfer the title to the goods, and that the goods are merchantable or fit for a particular purpose whenever such warranties would have been implied, if the contract of the parties had been to transfer without a bill the goods represented thereby.

In the case of an assignment of a claim secured by a bill, the liability of the assignor shall not exceed the amount of the claim.

**Sec. 36. Indorser not a guarantor.** The indorsement of a bill shall not make the indorser liable for any failure on the part of the carrier or previous indorsers of the bill to fulfill their respective obligations.

**Sec. 37. No warranty implied from accepting payment of a debt.** A mortgagee or pledgee, or other holder of a bill for security who in good faith demands or receives payment of the debt for which such bill is security, whether from a party to a draft drawn for such debt or from any other person, shall not be deemed by so doing to represent or to warrant the genuineness of such bill or the quantity or quality of the goods therein described.

**Sec. 38. When negotiation not impaired by fraud, accident, mistake, duress or conversion.** The validity of the negotiation of a bill is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the bill was deprived of the possession of the same by fraud, accident, mistake, duress or conversion, if the person to whom the bill was negotiated, or a

**CHAP. 182**

person to whom the bill was subsequently negotiated, gave value therefor, in good faith, without notice of the breach of duty, or fraud, accident, mistake, duress or conversion.

**Sec. 39. Subsequent negotiation.** Where a person having sold, mortgaged, or pledged goods which are in a carrier's possession and for which a negotiable bill has been issued, or having sold, mortgaged, or pledged the negotiable bill representing such goods, continues in possession of the negotiable bill, the subsequent negotiation thereof by that person under any sale, pledge, or other disposition thereof to any person receiving the same in good faith, for value and without notice of the previous sale, shall have the same effect as if the first purchaser of the goods or bill had expressly authorized the subsequent negotiation.

**Sec. 40. Form of the bill as indicating rights of buyer and seller.** Where goods are shipped by the consignor in accordance with a contract or order for their purchase, the form in which the bill is taken by the consignor shall indicate the transfer or retention of the property or right to the possession of the goods as follows:

(a) Where by the bill the goods are deliverable to the buyer or to his agent, or to the order of the buyer or of his agent, the consignor thereby transfers the property in the goods to the buyer.

(b) Where by the bill the goods are deliverable to the seller or to his agent, or to the order of the seller or of his agent, the seller thereby reserves the property in the goods. But if, except for the form of the bill, the property would have passed to the buyer on shipment of the goods, the seller's property in the goods shall be deemed to be only for the purpose of securing performance by the buyer of his obligations under the contract.

(c) Where by the bill the goods are deliverable to the order of the buyer or of his agent, but possession of the bill is retained by the seller or his agent, the seller thereby reserves a right to the possession of the goods, as against the buyer.

(d) Where the seller draws on the buyer for the price and transmits the draft and bill together to the buyer to secure acceptance or payment of the draft, the buyer is bound to return the bill if he does not honor the draft, and if he wrongfully retains the bill he acquires no added right thereby. If, however, the bill provides that the goods are deliverable to the buyer, or to the order of the buyer, or is indorsed in blank or to the buyer by the consignee named therein, one who purchases in good faith, for value, the bill or goods from the buyer, shall obtain the title to the goods, although the draft has not been honored, if such purchaser has received delivery of the bill indorsed by the consignee named therein, or of the goods, without notice of the facts making the transfer wrongful.

**Sec. 41. Demand, presentation or sight draft must be paid, but draft on more than three days time merely accepted before buyer is entitled to the accompanying bill.** Where the seller of goods draws on the buyer for the price of the goods and transmits the draft and a bill of lading for the goods either directly to the buyer or through a bank or other agency, unless

a different intention on the part of the seller appears, the buyer and all other parties interested shall be justified in assuming:

(a) If the draft is by its terms or legal effect payable on demand or presentation or at sight or not more than three days thereafter (whether such three days be termed days of grace or not), that the seller intended to require payment of the draft before the buyer should be entitled to receive or retain the bill.

(b) If the draft is by its terms payable on time, extending beyond three days after demand, presentation or sight (whether such three days be termed days of grace or not), that the seller intended to require acceptance, but not payment of the draft before the buyer should be entitled to receive or retain the bill.

The provisions of this section are applicable whether by the terms of the bill the goods are consigned to the seller, or to his order, or to the buyer, or to his order, or to a third person, or to his order.

**Sec. 42. Negotiation defeats vendor's lien.** Where a negotiable bill has been issued for goods, no seller's lien or right of stoppage in transitu shall defeat the rights of any purchaser for value in good faith to whom such bill has been negotiated, whether such negotiation be prior or subsequent to the notification to the carrier who issued such bill of the seller's claim to a lien or right of stoppage in transitu. Nor shall the carrier be obliged to deliver or justified in delivering the goods to an unpaid seller unless such bill is first surrendered for cancellation.

**Sec. 43. When rights and remedies under mortgages and liens are not limited.** Except as provided in section forty-two, nothing in this act shall limit the rights and remedies of a mortgagee or lienholder whose mortgage or lien on goods would be valid, apart from this act, as against one who for value and in good faith purchased from the owner, immediately prior to the time of their delivery to the carrier, the goods which are subject to the mortgage or lien and obtained possession of them.

#### **Criminal Offences.**

**Sec. 44. Issue of bill for goods not received.** Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a bill knowing that all or any part of the goods for which such bill is issued have not been received by such carrier, or by an agent of such carrier or by a connecting carrier, or are not under the carrier's control at the time of issuing such bill, shall be guilty of a crime, and upon conviction shall be punished for each offence by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

**Sec. 45. Issue of bill containing false statement.** Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a bill for goods knowing that it contains any false statement, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

## CHAP. 182

**Sec. 46. Issue of duplicate bills not so marked.** Any officer, agent, or servant of a carrier, who with intent to defraud issues or aids in issuing a duplicate or additional negotiable bill for goods in violation of the provisions of section seven, knowing that a former negotiable bill for the same goods or any part of them is outstanding and uncanceled, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

**Sec. 47. Negotiation of bill for mortgaged goods.** Any person who ships goods to which he has not title, or upon which there is a lien or mortgage, and who takes for such goods a negotiable bill which he afterwards negotiates for value with intent to deceive and without disclosing his want of title or the existence of the lien or mortgage, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars or by both.

**Sec. 48. Negotiation of bill when goods are not in carrier's possession.** Any person who with intent to deceive negotiates or transfers for value a bill knowing that any or all of the goods which by the terms of such bill appear to have been received for transportation by the carrier which issued the bill, are not in the possession or control of such carrier, or of a connecting carrier, without disclosing this fact, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

**Sec. 49. Including carrier to issue bill when goods have not been received.** Any person who with intent to defraud secures the issue by a carrier of a bill knowing that at the time of such issue, any or all of the goods described in such bill as received for transportation have not been received by such carrier, or an agent of such carrier or a connecting carrier, or are not under the carrier's control, by inducing an officer, agent, or servant of such carrier falsely to believe that such goods have been received by such carrier, or are under its control, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

**Sec. 50. Issue of a non-negotiable bill not so marked.** Any person who with intent to defraud issues or aids in issuing a non-negotiable bill without the words "not negotiable" placed plainly upon the face thereof, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years or by a fine not exceeding five thousand dollars, or by both.

#### Interpretation.

**Sec. 51. Rule for cases not provided for in this act.** In any case not provided for in this act, the rules of law and equity including the law merchant, and in particular the rules relating to the law of principal and

agent, executors, administrators and trustees, and to the effect of fraud, misrepresentation, duress or coercion, accident, mistake, bankruptcy, or other invalidating cause, shall govern.

**Sec. 52. Interpretation shall give effect to purpose of uniformity.** This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

**Sec. 53. Definitions.** (1) In this act, unless the context or subject matter otherwise requires:

"Action" includes counter claim, set-off, and suit in equity.

"Bill" means bill of lading.

"Consignee" means the person named in the bill as the person to whom delivery of the goods is to be made.

"Consignor" means the person named in the bill as the person from whom the goods have been received for shipment.

"Goods" means merchandise or chattels in course of transportation, or which have been or are about to be transported.

"Holder" of a bill means a person who has both actual possession of such bill and a right of property therein.

"Order" means an order by indorsement on the bill.

"Owner" does not include mortgagee or pledgee.

"Person" includes a corporation or partnership or two or more persons having a joint or common interest.

To "purchase" includes to take as mortgagee and to take as pledgee.

"Purchaser" includes mortgagee and pledgee.

"Value" is any consideration sufficient to support a simple contract. An antecedent or pre-existing obligation, whether for money or not, constitutes value where a bill is taken either in satisfaction thereof or as security therefor.

(2) A thing is done "in good faith," within the meaning of this act, when it is in fact done honestly, whether it be done negligently or not.

**Sec. 54. Act does not apply to existing bills.** The provisions of this act do not apply to bills made and delivered prior to the taking effect thereof.

**Sec. 55. Inconsistent legislation repealed.** All acts or parts of acts inconsistent with this act are hereby repealed.

**Sec. 56. Name of act.** This act may be cited as the Uniform Bills of Lading Act.

## Chapter 133.

An Act to Amend Chapter Sixty-seven, Section Twenty-six of Chapter Seventy, Section Forty-four of Chapter Sixty-eight, Sections Nine and Ten of Chapter Seventy-two, Section Ninety-five of Chapter Eighty-six, and Sections Fourteen, Fifteen, Twenty and Twenty-one of Chapter Ninety-two of the Revised Statutes; and to Repeal Sections Forty-two and Forty-three of Chapter Sixty-eight, and Sections Sixteen and Twenty-one of Chapter Ninety-two of the Revised Statutes, Relating to Notice of Appointment of Executors, Administrators, Guardians of Adults, and Conservators; and to Limitation of Actions against the Estates of Deceased Persons.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 67, supplemented.** Chapter sixty-seven of the revised statutes is hereby amended by adding the following section:

**'Sec. 52. Public notice of appointment of executor, administrator, guardian of adult, or conservator to be given by register of probate.** Within two months after the qualification of an executor, administrator, guardian of an adult, or conservator, the register of probate shall cause public notice of such appointment to be given, and shall enter upon the docket the name of the newspaper and the date of the first publication. Such notice may be given in a list showing the name of the estate, the name and residence of each person appointed and, in each case where an agent has been appointed, the name and residence of such agent. Such executor, administrator, guardian or conservator may be required to give such further notice of his appointment as the judge may order. At the time of his qualification, such executor, administrator, conservator or guardian of an adult shall pay to the register of probate the cost of such public notice, together with such reasonable fee for such additional duty as may be fixed by the judge, and he shall be allowed said sums in his account.'

**Sec. 2. Inconsistent statutes repealed.** Sections forty-two and forty-three of chapter sixty-eight of the revised statutes are hereby repealed.

**Sec. 3. R. S., c. 68, § 44, relating to agents or attorneys of non-resident executors and administrators, amended.** Section forty-four of chapter sixty-eight is hereby amended so as to read as follows:

**'Sec. 44. Not to be appointed unless such agent or attorney has been appointed.** No person residing out of the state shall be appointed an executor or administrator, unless he shall have appointed an agent or attorney in the state. Such appointment shall be made in writing and shall give the name and address of the agent or attorney. Said written appointment shall be filed and recorded in the registry of probate for the county in which the principal is appointed, and by such appointment the subscriber shall agree that the service of any legal process against him as such executor or administrator, or that the service of any such process against him in his individual capacity in any action founded upon or arising out of any of his acts or omissions as such executor or administrator shall, if made on such agent, have like effect as if made on himself personally within the state, and such service shall have such effect. An executor or administrator who after his appointment removes from and resides with-



out the state shall so appoint an agent within thirty days after such removal, and give public notice thereof. If an agent appointed under the provisions of this section dies or removes from the state before the final settlement of the accounts of his principal, another appointment shall be made, filed and recorded as above provided, and public notice thereof given; the powers of an agent appointed under the provisions of this section shall not be revoked prior to the final settlement of the estate unless another appointment shall be made as herein provided. Neglect or refusal by an executor or administrator to comply with any provision of this section shall be cause for removal. An executor or administrator residing out of the state shall not appoint his co-executor or co-administrator, residing in the state, as his agent.'

**Sec. 4. R. S., c. 72, § 9, relating to guardians, amended.** Section nine of chapter seventy-two of the revised statutes is hereby amended by striking out the words "give notice of their appointment and make return thereof to the registry of probate in the manner provided by law relating to notices of appointment by executors and administrators. They" in the first, second, third and fourth lines of said section, so that said section, as amended, shall read as follows:

**'Sec. 9. Provisions as to notice of appointment repealed.** Such guardians shall have the custody of the persons of their wards, if resident in the state, except so far as the court of probate may from time to time otherwise order; and every guardian appointed over any person for gambling, idleness, drinking or debauchery, shall inculcate upon him habits of sobriety and industry, and when of sufficient health and strength, with the approbation of the judge, may bind him out to labor, not exceeding six months at any one time, or employ him in his own service; giving credit for his earnings, or such sum as he receives therefor.'

**Sec. 5. R. S., c. 72, § 10, relating to conservators, amended.** Section ten of chapter seventy-two is hereby amended by striking out the words "to giving notice of appointment and" in the next to the last line in said section, so that said section as amended shall read as follows:

**'Sec. 10. Provisions as to notice of appointment repealed.** Whenever any person shall deem himself unfitted, by reason of infirmities of age or physical disability, to manage his estate with prudence and understanding, he may apply to the judge of probate for the county in which he resides, for the appointment of a conservator of his estate, and thereupon the judge of probate may upon hearing, after such notice as he may order, appoint some suitable person as conservator of his estate, and such appointment shall not disfranchise the person for whose estate such conservator is appointed. The person so appointed shall give bond to the judge of probate, in such sum and with such sureties, resident in the state, or with a surety company authorized to do business in the state, as surety, as the judge accepts, conditioned as provided in section twelve, and all provisions of law relating to the management of estates of adult persons under guardianship shall apply to such conservator'.

## CHAP. 188

**Sec. 6. R. S., c. 86, § 95, relating to civil actions in case of death of either party.** Section ninety-five of chapter eighty-six of the revised statutes is hereby amended by striking out the words "affidavit has been filed in the probate office that notice of his appointment has been given by him" and inserting in their place the words 'he has qualified as such executor or administrator' and by striking out the words "sections sixteen and" in the eleventh line and inserting in place thereof the word 'section,' so that such section as amended may read as follows:

**'Sec. 95. Limitations. Provisions as to filing of affidavit of appointment repealed. R. S., c. 92, § 16, not applicable.** If a person entitled to bring, or liable to any action before mentioned, dies before or within thirty days after the expiration of the time herein limited therefor, and the cause of action survives, the action may be commenced by the executor or administrator at any time within eighteen months after his appointment, and not afterwards, if barred by the other provisions hereof; actions on such claims may be commenced against the executor or administrator, after one year, or within one year subject to continuance without costs, and within eighteen months after he has qualified as such executor or administrator, and not afterwards, if barred by the other provisions hereof, except as provided in section eighteen of chapter ninety-two.'

**Sec. 7. R. S., c. 92, § 14, relating to claims against estates.** Section fourteen of chapter ninety-two of the revised statutes is hereby amended by striking out the words "affidavit has been filed in the registry of probate that notice has been given by said executor or administrator of his appointment" and inserting the words 'his qualification as such executor or administrator,' and by striking out the word "sixteen," in the thirteenth line, so that said section as amended shall read as follows:

**'Sec. 14. Affidavit not necessary. Provisions of R. S., c. 92, § 16, not applicable.** All claims against estates of deceased persons, except for legacies and distributive shares and for labor and materials for which suit may be commenced under section thirty-four of chapter ninety-six, shall be presented to the executor or administrator in writing, or filed in the registry of probate, supported by an affidavit of the claimant, or of some other person cognizant thereof, either before or within eighteen months after his qualification as such executor or administrator; and no action shall be commenced against such executor or administrator on any such claim until thirty days after the presentation or filing of such claim as above provided. Any claim not so presented or filed shall be forever barred against the estate, except as provided in sections seventeen, nineteen and twenty-two of this chapter.'

**Sec. 8. R. S., c. 92, § 15, relating to continuance of action in civil cases against executors or administrations, amended.** Section fifteen of chapter ninety-two of the revised statutes is hereby amended so as to read as follows:

**'Sec. 15. Affidavit not necessary. R. S., c. 92, § 16, not applicable.** Actions against executors or administrators, on such claims, if brought

## CHAP. 183

within one year after their qualification, shall be continued without cost to either party, until said year expires and be barred by a tender of the debt within the year, except actions on claims not affected by the insolvency of the estate and actions on appeals from commissioners of insolvency or other commissioners appointed by the judge of probate. No action shall be maintained against an executor or administrator on a claim or demand against the estate, except for legacies and distributive shares, and except as provided in section eighteen, unless commenced and served within twenty months after his qualification as such executor or administrator. When an executor, or administrator, guardian or testamentary trustee residing out of the state, has no agent or attorney in the state, service may be made on one of his sureties in the same manner and with the same effect as if made on him.'

**Sec. 9. R. S., c. 92, § 16, relating to action when funds come into hands of executor, etc., after twenty months, repealed.** Section sixteen of chapter ninety-two of the revised statutes is hereby repealed.

**Sec. 10. R. S., c. 92, § 20, relating to actions against administrators de bonis non.** Section twenty of chapter ninety-two of the revised statutes is hereby amended by striking out the whole of said section and inserting in place thereof the following:

**'Sec. 20. New administration deemed continuance of preceding one. Periods between, how reckoned.** When an executor or administrator after qualification dies, resigns, or is removed, without having fully administered the estate, and a new administrator is appointed, such new administration shall be deemed to be a continuation of the preceding administration, and all limitations which could be claimed for or against the predecessor may be claimed for or against such successor: Provided, however, that the time when there is no representative of the estate shall not be reckoned as part of the periods for the filing or proof of claims or limitations for bringing suits; and such periods, and generally the periods referred to where no provisions to the contrary is made, shall be reckoned exclusive of such time.'

**Sec. 11. R. S., c. 92, § 21, relating to failure of administrator, etc., to give notice of his appointment, repealed.** Section twenty-one of chapter ninety-two of the revised statutes is hereby repealed.

**Sec. 12. R. S., c. 70, § 26, relating to payment of legacies, amended.** Section twenty-six of chapter seventy is hereby amended by striking out the words "unless he has failed to give notice of his appointment as required by law and the judge of probate," so that said section as amended shall read as follows:

**'Sec. 26. Responsibility of executor or administrator not affected by failure to give value of his appointment.** Legacies shall be payable in one year after final allowance of the will; but such payments shall not be affected by any claims presented to the executor, or administrator with the will annexed, or filed in the probate office, after the expiration of said one year and after such payment; nor shall the executor or administrator

**CHAP. 184**

with the will annexed be responsible for the payments of said legacies on account of such claims.'

**Sec. 13. R. S., c. 86, relating to civil action, etc., supplemented.** Chapter eighty-six is hereby amended by adding thereto the following section:

**'Sec. 109. Actions barred when no administration for six years after death of decedent.** Where no administration is had upon the estate of a deceased person within six years from the date of death of said decedent, and no petition for administration is pending, all actions upon any claim against said decedent shall be barred.'

**Sec. 14. Executor, administrator, etc., when deemed to be qualified.** For the purposes of this act, an executor, administrator, guardian of an adult, or conservator, shall be deemed to be qualified when his bond has been filed and approved by the judge of probate; provided however, that in cases where no bond is required the date of appointment shall be deemed to be the date of qualification.

Approved March 29, 1917.

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## Chapter 134.

**An Act to Amend Section Thirty of Chapter Sixteen of the Revised Statutes, and Providing for Kindergartens as Part of the Common School Course.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 16, § 30, relating to school age, supplemented.** Section thirty of chapter sixteen of the revised statutes is hereby amended by adding to said section the following words:

'Provided, however, that the superintending school committee of any city or town may, and upon the filing with the municipal officers of such city or town of a petition not less than one month before the annual town meeting by the parents or guardians of thirty or more children between four and six years of age living within a mile of a public elementary school, shall, unless otherwise instructed by the town or city, maintain a kindergarten or kindergartens as a part of the common school course, and pupils shall be allowed to attend such a kindergarten or kindergartens upon reaching the age of four years; provided further, that unless the average daily attendance in any kindergarten shall be fifteen or more for any school year the superintending school committee, upon the recommendation of the superintendent of schools, may discontinue the school; provided further, that no person shall be allowed to teach in any kindergarten maintained under the provisions of this section who has not completed at least a two years' course in kindergarten training and received a certificate or diploma from a recognized kindergarten training school approved by the state superintendent of public schools,' so that said section when amended shall read as follows:

**'Sec. 30. Kindergartens to be established when petitioned for. Qualifications of teacher.** The age of pupils allowed to attend the public schools of the state is hereby fixed between the ages of five and twenty-one years; and every child between the said ages shall have the right to attend the public schools in the town in which his parent or guardian has a legal residence, subject to such reasonable regulations as to the numbers and qualifications of pupils to be admitted to the respective schools and as to other school matters as the superintending school committee shall from time to time prescribe; provided, however, that the superintending school committee of any city or town may, and upon the filing with the municipal officers of such city or town of a petition not less than one month before the annual town meeting by the parents or guardians of thirty or more children between four and six years of age living within a mile of a public elementary school, shall, unless otherwise instructed by the town or city, maintain a kindergarten or kindergartens as a part of the common school course, and pupils shall be allowed to attend such a kindergarten or kindergartens upon reaching the age of four years; provided further, that unless the average daily attendance in any kindergarten shall be fifteen or more for any school year the superintending school committee, upon the recommendation of the superintendent of schools, may discontinue the school; provided further, that no person shall be allowed to teach in any kindergarten maintained under the provisions of this section who has not completed at least a two years' course in kindergarten training and received a certificate or diploma from a recognized kindergarten training school approved by the state superintendent of public schools.'

Approved March 29, 1917.

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## Chapter 135.

An Act to Amend Sections Twenty-eight and Twenty-nine of Chapter Fifty-five of the Revised Statutes, Relating to Notice by Public Utilities of Changes in Rates.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 55, § 28 and § 29, relating to change in public utility rates, amended.** Sections twenty-eight and twenty-nine of chapter fifty-five of the revised statutes are hereby amended to read as follows:

**'Sec. 28. Thirty days' notice to be given commission. New rates to be filed thirty days before effective. Commission may use discretion.** No change shall hereafter be made in any schedule, including schedules of joint rates, except upon thirty days' notice to the commission, and all such changes shall be plainly indicated upon existing schedules by filing new schedules in lieu thereof thirty days prior to the time the same are to take effect: Provided, that the commission may, in its discretion and for good cause shown, allow changes upon less than the notice herein specified, or modify the requirements of this section and the following section in respect to publishing, posting and filing of tariffs, either in par-

**CHAP. 136**

tical instances or by a general order applicable to special or peculiar circumstances or conditions.'

'Sec. 29. New tariffs to be filed at offices of company thirty days before effective. Commission may prescribe less time. Copies of all new schedules shall be filed as hereinbefore provided in every station and office of such public utility, where payments are made by customers or users thirty days prior to the time the same are to take effect, unless the commission shall prescribe a less time as provided in the preceding section.'

Approved March 30, 1917.

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## Chapter 136.

An Act to Amend Section Eighty-two of Chapter One Hundred Fifteen of the Revised Statutes, Relating to Support of Debtors in Jail.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 115, § 82, relating to dispute as to price of support of poor debtors in jail, amended. Section eighty-two of chapter one hundred fifteen of the revised statutes is hereby amended by striking out the words "two dollars and twenty-five cents a week" in the third line of said section, and inserting in place thereof the words, 'not exceeding fifty cents a day,' so that said section as amended shall read as follows: .

'Sec. 82. County commissioners may fix price not to exceed fifty cents per day. In case of dispute about the price of such support, the county commissioners may determine it, not exceeding fifty cents a day.'

Approved March 30, 1917.

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## Chapter 137.

An Act to Provide for the Registration of Teachers.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Teachers may register with state superintendent. Lists to be furnished upon request. Registration fee.** Any person holding a state teachers' certificate and any person holding a temporary teaching permit, or eligible to receive such a permit may, upon the payment of three dollars and upon application to the state superintendent of public schools in such manner as may be prescribed by him, register as a candidate for employment as a teacher in the public schools within the state. It shall be the duty of the state superintendent of public schools to furnish to superintending school committees or superintendents of schools, upon request, information relative to persons registered as hereinbefore provided, and to furnish persons thus registered information relative to vacancies in positions in public schools within the state; but neither the state superintendent

## CHAP. 138

of public schools nor any person employed under his direction shall be held responsible for, nor be understood to vouch for the fitness or success of any teacher who may secure a position in a public school through the operation of this section, nor shall the acceptance of this enrollment and the payment of the required fee be construed as a guarantee for securing employment as a teacher. The payment of the above fee shall entitle the person registering to the benefit of such registration for a period of three years.

**Sec. 2. State superintendent may employ clerical assistance. Must furnish bond. Fees to be paid into state treasury monthly.** The state superintendent of public schools shall make the necessary rules and regulations for carrying out the provisions of section one of this act and for obtaining whatever information is required as to the experience, qualifications and character of persons seeking employment as teachers, and a teacher shall be entitled to consideration for employment only so long as he complies with such rules and regulations. He shall employ such clerical and other assistants as may be required and they shall perform their duties under the general supervision of said superintendent. He shall collect and receipt for all registration fees, and report and pay said fees to the treasurer of state once in each month. He shall furnish to the state a surety bond in sum to be fixed by the governor and council and at the expense of the state.

**Sec. 3. Appropriation. Registration fees to be used for administration.** For the necessary expenses of carrying out the provisions of the two preceding sections there may be annually expended the amount of the fees received under the provisions of section one together with such part as may be required of the sum of five hundred dollars, which sum the treasurer of state shall deduct for said purpose from any school money raised for the support of common schools.

Approved March 30, 1917.

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## Chapter 138.

An Act to Amend Section Sixty, Chapter Eight of the Revised Statutes relating to the Maine Forestry District.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 8, § 60, par. 3, relating to forestry district, amended.** Paragraph three of section sixty, chapter eight of the revised statutes is hereby amended by adding in the tenth line thereof after the words "Pickering's Island"; the words 'Resolution Island,' so that said paragraph as amended shall read as follows:

**'Hancock County. Resolution Island added.** Township No. 3, North Division; No. 4, North Division; Two Mile Strip North of No. 3, North Division; Strip North of No. 4, North Division; No. 7, South Division; No. 8 Plantation; No. 9, South Division; No. 10, South Division; No. 16, Middle Division; No. 21 Plantation; No. 22, Middle Division; No. 28, Middle Division; No. 32, Middle Division; No. 33 Plantation; No. 34,

**CHAP. 188**

Middle Division; number 35, Middle Division; number 39, Middle Division; number 40, Middle Division; number 41, Middle Division; Butter Island; Eagle Island; Spruce Head Island; Bear Island; Beach Island; Hog Island; Bradbury's Island; Pond Island; Western Island; Little Spruce Island; Marshall's Island; Pickering's Island; Resolution Island; in Hancock County.'

**Sec. 2. R. S., c. 5, § 60, par. 4, amended.** The fourth paragraph of said section sixty, is hereby amended by striking out in the fifth and sixth lines thereof the words "Batchelder's Grant;" so that said paragraph four as amended shall read as follows:

**'Oxford County. Batchelder's Grant eliminated.** T. A. number 1; Andover North Surplus; Andover West Surplus; T. C.; C. Surplus; 4, R. 1, W. B. K. P.; Magalloway plantation; 4, R. 2, W. B. K. P.; Lincoln plantation; 4, R. 3, W. B. K. P.; 5, R. 3, W. B. K. P.; 4, R. 4, W. B. K. P.; 5, R. 4, W. B. K. P.; 4, R. 5, W. B. K. P.; 4, R. 6, W. B. K. P.; 5, R. 5, W. B. K. P.; in Oxford County.'

**Sec. 3. R. S., c. 5, § 60, par. 6, amended.** Paragraph sixth of said section is hereby amended by adding in the twenty-eighth line thereof after the words "Farm Island;" the words 'Dollar Island; Ledge Island; Birth Island; both Moody Islands; Cove Point; Harford's Point;' so that said paragraph six as amended shall read as follows:

**'Piscataquis County. Additions.** Lakeview plantation; Barnard plantation; 4, R. 9, N. W. P.; 5, R. 9, N. W. P.; 6, R. 9, N. W. P.; 7, R. 9, N. W. P.; Elliottsville plantation; 3, R. 5, B. K. P., E. K. R.; 2, R. 6, B. K. P., E. K. R.; 1, R. 9, W. E. L. S.; 2, R. 9, W. E. L. S.; 3, R. 9, W. E. L. S.; 4, R. 9, W. E. L. S.; 5, R. 9, W. E. L. S.; 6, R. 9, W. E. L. S.; 7, R. 9, W. E. L. S.; 8, R. 9, W. E. L. S.; 9, R. 9, W. E. L. S.; 10, R. 9, W. E. L. S.; A. R. 10, W. E. L. S.; B. R. 10, W. E. L. S.; 1, R. 10, W. E. L. S.; 2, R. 10, W. E. L. S.; 3, R. 10, W. E. L. S.; 4, R. 10, W. E. L. S.; 5, R. 10, W. E. L. S.; 6, R. 10, W. E. L. S.; 7, R. 10, W. E. L. S.; 8, R. 10, W. E. L. S.; 9, R. 10, W. E. L. S.; 10, R. 10, W. E. L. S.; A. R. 11, W. E. L. S.; B. R. 11, W. E. L. S.; 1, R. 11, W. E. L. S.; 2, R. 11, W. E. L. S.; 3, R. 11, W. E. L. S.; 4, R. 11, W. E. L. S.; 5, R. 11, W. E. L. S.; 6, R. 11, W. E. L. S.; 7, R. 11, W. E. L. S.; 8, R. 11, W. E. L. S.; 9, R. 11, W. E. L. S.; 10, R. 11, W. E. L. S.; 7, R. 10, N. W. P.; 8, R. 10, N. W. P.; A. R. 12, W. E. L. S.; 1, R. 12, W. E. L. S.; 2, R. 12, W. E. L. S.; 3, R. 12, W. E. L. S.; 4, R. 12, W. E. L. S.; 5, R. 12, W. E. L. S.; 6, R. 12, W. E. L. S.; 7, R. 12, W. E. L. S.; 8, R. 12, W. E. L. S.; 9, R. 12, W. E. L. S.; 10, R. 12, W. E. L. S.; A. R. 13, W. E. L. S.; A. 2, R. 13 and 14, W. E. L. S.; 1, R. 13, W. E. L. S.; 2, R. 13, W. E. L. S.; 3, R. 13, W. E. L. S.; 4, R. 13, W. E. L. S.; 5, R. 13, W. E. L. S.; 6, R. 13, W. E. L. S.; 7, R. 13, W. E. L. S.; 8, R. 13, W. E. L. S.; 9, R. 13, W. E. L. S.; 10, R. 13, W. E. L. S.; A. R. 14, W. E. L. S.; X, R. 14, W. E. L. S.; 3, R. 14, and 15, W. E. L. S.; 1, R. 14, W. E. L. S.; 4, R. 14, W. E. L. S.; 5, R. 14, W. E. L. S.; 6, R. 14, W. E. L. S.; 7, R. 14, W. E. L. S.; 8, R. 14, W. E. L. S.; 9, R. 14, W. E. L. S.; 10, R. 14, W. E. L. S.; Sugar Island; Deer Island; Middlesex canal; Day's academy; 4, R. 15, W. E. L. S.; 5, R. 15, W. E. L. S.; 6, R. 15, W. E. L. S.; 7, R. 15, W. E. L. S.; 8, R. 15, W. E. L. S.; 9, R. 15, W. E. L. S.; 10, R. 15,



## CHAP. 188

W. E. L. S.; Moose Island; Farm Island; Dollar Island; Ledge Island; Birch Island; both Moody Islands; Cove Point; Harford's Point; Kingsbury plantation; in Piscataquis County.'

**Sec. 4. R. S., c. 5, § 60, par. 7, amended.** The seventh paragraph of said section 60 is hereby amended by striking out in the fourteenth and fifteenth lines thereof the figures and letters "5, R. 1, N. B. P. P.; 6, R. 1, N. B. P. P.;" and inserting in place thereof '5, R. 1, N. B. K. P.; 6, R. 1, N. B. K. P.;' and also by adding in the twenty-eighth line thereof after the figures and words "5, R. 20, W. E. L. S.;" the words 'Sand Bar Tract', so that said paragraph seven as amended shall read as follows:

**'Somerset County. Additions. Eliminations.** Lexington plantation; Pleasant Ridge plantation; Highland plantation; 1, R. 3, B. K. P., W. K. R.; 2, R. 3, B. K. P., W. K. R.; Dead River plantation; Bigelow plantation; 1, R. 4, B. K. P., W. K. R.; 2, R. 4, B. K. P., W. K. R.; 3, R. 4, B. K. P., W. K. R.; Flagstaff plantation; West Forks plantation; 2, R. 5, B. K. P., W. K. R.; 3, R. 5, B. K. P., W. K. R.; 4, R. 5, B. K. P., W. K. R.; 1, R. 6, B. K. P., W. K. R.; 2, R. 6, B. K. P., W. K. R.; 3, R. 6, B. K. P., W. K. R.; 4, R. 6, B. K. P., W. K. R.; 5, R. 6, B. K. P., W. K. R.; 1, R. 7, B. K. P., W. K. R.; 2, R. 7, B. K. P., W. K. R.; 3, R. 7, B. K. P., W. K. R.; 4, R. 7, B. K. P., W. K. R.; 5, R. 7, B. K. P., W. K. R.; 6, R. 7, B. K. P., W. K. R.; Gore North of numbers 1, 2, and 3, R. 7, B. K. P., W. K. R.; Mayfield plantation; 2, R. 3, B. K. P., E. K. R.; The Forks plantation; 2, R. 4, B. K. P., E. K. R.; 1, R. 5, B. K. P., E. K. R.; 2, R. 5, B. K. P., E. K. R.; 1, R. 6, B. K. P., E. K. R.; 1, R. 1, N. B. K. P.; 2, R. 1, N. B. K. P.; 3, R. 1, N. B. K. P.; Jackman plantation; 5, R. 1, N. B. K. P.; 6, R. 1, N. B. K. P.; 1, R. 2, N. B. K. P.; 2, R. 2, N. B. K. P.; 3, R. 2, N. B. K. P.; Moose River plantation; Dennistown plantation; 6, R. 2, N. B. K. P.; Big W, N. B. K. P.; Little W, N. B. K. P.; 1, R. 3, N. B. K. P.; 2, R. 3, N. B. K. P.; 3, R. 3, N. B. K. P.; 4, R. 3, N. B. K. P.; 5, R. 3, N. B. K. P.; Seboomook; 1, R. 4, N. B. K. P.; 2, R. 4, N. B. K. P.; 3, R. 4, N. B. K. P.; 4, R. 4, N. B. K. P.; 5, R. 4, N. B. K. P.; 3, R. 5, N. B. K. P.; 4, R. 5, N. B. K. P.; 4, R. 16, W. E. L. S.; 5, R. 16, W. E. L. S.; 6, R. 16, W. E. L. S.; 7, R. 16, W. E. L. S.; 8, R. 16, W. E. L. S.; 9, R. 16, W. E. L. S.; 10, R. 16, W. E. L. S.; 4, R. 17, W. E. L. S.; 5, R. 17, W. E. L. S.; 6, R. 17, W. E. L. S.; 7, R. 17, W. E. L. S.; 8, R. 17, W. E. L. S.; 9, R. 17, W. E. L. S.; 10, R. 17, W. E. L. S.; 4, R. 18, W. E. L. S.; 5, R. 18, W. E. L. S.; 6, R. 18, W. E. L. S.; 7, R. 18, W. E. L. S.; 8, R. 18, W. E. L. S.; 9, R. 18, W. E. L. S.; 5, R. 19, W. E. L. S.; 6, R. 19, W. E. L. S.; 7, R. 19, W. E. L. S.; 8, R. 19, W. E. L. S.; 5, R. 20, W. E. L. S.; Sand Bar Tract; in Somerset County.'

Approved March 30, 1917.

## Chapter 139.

An Act to Amend Section Six of Chapter Forty-two of the Revised Statutes, Concerning Intelligence Offices.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 42, § 6, relating to intelligence offices, amended. Section six of chapter forty-two of the revised statutes is hereby amended by inserting after the word "located" in the twenty-first line the words 'in a building or' and by inserting in the twenty-third line thereof after the word "law" the following words: 'or which or part of which is used as an inn, lodging house or boarding house,' so that section as amended shall read as follows:

**'Sec. 6. Must not be located in inn, boarding or lodging house. General provisions.** No person shall open, keep or carry on any employment agency in the state, unless such person shall first procure a license therefor from the municipal officers of the city or town where such employment agency is to be located. Any person who shall open or conduct any such agency without first procuring such license shall be guilty of a misdemeanor and shall be punished by a fine of not less than fifty, nor more than three hundred dollars, or by imprisonment for not less than one month nor more than six months, or by both fine and imprisonment. Such license shall be granted upon the payment to the city or town treasurer, annually, of a fee of twenty-five dollars for the use of said city or town; the license shall be signed by a majority of the municipal officers, and shall continue in force from May first to May first of the succeeding year. Every license so granted shall contain the name of the person licensed, a designation of the city, street and number of the house or building in which the licensee is authorized to carry on the employment agency, and the number and date of such license, and shall be exhibited in a public and conspicuous place in the office or place of business of the licensee. Such license shall not be valid to protect any other place than that designated therein, unless consent is first obtained from the municipal officers, nor until the written consent to such transfer, of the surety or sureties on the bond required by the following section is filed with the original bond. No such agency shall be located in a building or on premises where intoxicating liquors are sold or dispensed contrary to law, or which or part of which is used as an inn, lodging house or boarding house; nor shall any license be issued to any person, directly or indirectly interested in the sale of intoxicating liquors. The application for such license shall be filed with the municipal officers at least one week prior to the date of hearing thereon, and the municipal officers shall act upon any application within thirty days after the filing thereof. Each application shall be accompanied by the affidavits of two persons who have known the applicant, or the chief officers thereof, if a corporation, for two years at least, stating that the applicant is, or said officers are, of good moral character, and a resident, or residents, of the state and has, or have, been such for at least five years prior to the date of such application.

Approved March 30, 1917.

## Chapter 140.

An Act to Amend Section Thirty-one of Chapter Sixty-eight of the Revised Statutes, Appropriating Moneys in the State Treasury Credited to Public Administrators' Fund.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 68, § 31, relating to funds paid into state treasury by public administrators. Section thirty-one of chapter sixty-eight of the revised statutes, is hereby amended by adding to said section the following words, 'and such principal is hereby appropriated to pay such lawful claims', so that as amended said section shall read as follows:

'Sec. 31. Authority for paying lawful claims. When there is, in the hands of such public administrator, an amount of money, more than is necessary for the payment of the deceased's debts and for other purposes of administration, he shall be required by the judge to deposit it with the treasurer of state, who shall receive it; the state shall be responsible for the principal thereof, for the benefit of those who may lawfully claim it; and the governor and council, on application and proof, may order the treasurer to pay it over, and such principal is hereby appropriated to pay such lawful claims.'

Approved March 30, 1917.

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## Chapter 141.

An Act to Provide for the Improvement and Certification of Seed Produced in the State.

*Be it enacted by the People of the State of Maine, as follows:*

Improvement and certification of seeds. Annual appropriation. The commissioner of agriculture is hereby authorized to expend the sum of three thousand dollars annually for the improvement and certification of seeds produced in the state, either for planting in the state or for shipping to other states or countries, by employing experts and suitable assistants and by paying such expenses therewith as the commissioner may approve.

Approved March 30, 1917.

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## Chapter 142.

An Act to Amend Sections One, Eight and Twelve of Chapter One Hundred Twenty-six of the Public Laws of Eighteen Hundred Forty-four, Relating to the Preservation of Salmon, Shad and Alewives in Georges River and Tributary Streams.

*Be it enacted by the People of the State of Maine, as follows:*

Sec. 1, P. L., 1844, c. 126, § 1, relating to election of fish wardens for preservation of salmon, shad and alewives in Georges river, supplemented.

## CHAP. 142

Section one of chapter one hundred twenty-six of the public laws of eighteen hundred forty-four is hereby amended by adding, at the end of said section, the following: 'The failure of any one or more of said towns to choose said fish warden, or wardens, or the failure of the selectmen of any one or more of said towns to appoint said fish warden, or wardens, shall not affect the legality of any fish warden or wardens, who are chosen or appointed, to act under the provisions of this chapter, and those chosen or appointed shall constitute the board of fish wardens hereinafter referred to and have full power and authority hereunder', so that said section as amended, shall read as follows:

**'Sec. 1. Failure of any one town to choose or appoint not to affect legality of those chosen.** The towns of Thomaston, St. George and Cushing, shall at their meeting for the choice of town officers in the months of March or April, annually, choose in each town by written ballot one person, and the town of Warren, shall in the same manner, choose two persons, to be called fish wardens; and in case of vacancy by death, resignation or neglect of the town to choose such fish wardens, then the selectmen of said town shall forthwith appoint such person to be fish warden; and each person so chosen or appointed, shall be sworn faithfully to discharge the duties required of him by this act. The failure of any one or more of said towns to choose said fish warden, or wardens, or the failure of the selectmen of any one or more of said towns to appoint said fish warden, or wardens, shall not affect the legality of the appointment or acts of any fish warden or wardens, who are chosen or appointed, to act under the provisions of this chapter, and those chosen or appointed shall constitute the board of fish wardens hereinafter referred to and have full power and authority hereunder.'

**Sec. 2, P. L., 1844, c. 126, § 8, amended.** Section eight of chapter one hundred twenty-six of the public laws of eighteen hundred forty-four is hereby amended by prefixing to said section the following:

'No weir for the taking of salmon, shad and alewives, or either, shall extend into more than two feet of water, in depth, at ordinary low water, or occupy more than one-eighth of the channel, measured from the first margin of the channel marked and made bare at low water at the usual ebb of the tide,' so that said section as amended, shall read as follows:

**'Sec. 8. Weirs, location and specifications.** No weir for the taking of salmon, shad and alewives, or either, shall extend into more than two feet of water in depth, at ordinary low water, or occupy more than one-eighth of the channel, measured from the first margin of the channel marked and made bare at low water at the usual ebb of the tide. Every weir shall be provided with a gate or passage way at least three feet wide, and extending from the bottom or floor thereof to high water line, which gate or door shall be in the pound or apartment wherein said fish are secured and taken. And the said gate shall be left open without impediment to the passage of said fish, from sunrise on Saturday of each week, to sunrise on the succeeding Monday, between the first day of April and the fifteenth day of July, in each year; and any weir that shall be made without such gate or door, or if any such gate or door shall not be kept open as herein required,

the owner or occupant of such weir shall forfeit for each offence, ten dollars.'

**Sec. 3, P. L., 1844, c. 126, § 12, amended.** Section twelve of chapter one hundred twenty-six of the public laws of eighteen hundred forty-four is hereby amended by striking out all of said section and by substituting therefor the following section:

**'Sec. 12. Complaints of violation; jurisdiction.** All forfeitures prescribed by this act, exceeding twenty dollars, shall be recoverable by indictment in supreme judicial court, and all forfeitures not exceeding twenty dollars, shall be recoverable by complaint in behalf of the state, before a trial justice for the county of Knox, or the judge of the police court for the city of Rockland. And such justice or judge, is hereby empowered, on conviction, to impose penalties to an amount not exceeding the sum of twenty dollars, and in case any person convicted and sentenced by such justice, or judge, shall neglect or refuse to pay such penalty with cost of prosecution, the justice, or judge, by his mittimus, may cause said offender to be committed to the jail of the county, there to be detained, till discharged by order of law, reserving however to every person accused, the right to appeal to the supreme judicial court, on entering into recognizance as in other cases of appeal from trial justices, or said police court, in criminal suits. Complaints for any of the offences mentioned in this act, may be made by any fish warden, or deputy warden, or any other person, and all forfeitures and penalties recovered for any such offences, shall go to the use of the town in which the same was committed.

Approved March 31, 1917.

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## Chapter 143.

An Act to Make Uniform the Law of Warehouse Receipts.

*Be it enacted by the People of the State of Maine, as follows:*

### The Issue of Warehouse Receipts.

**Sec. 1. Persons who may issue receipts.** Warehouse receipts may be issued by any warehouseman.

**Sec. 2. Form of receipts. Essential terms.** Warehouse receipts need not be in any particular form, but every such receipt must embody within its written or printed terms:

- (a) The location of the warehouse where the goods are stored,
- (b) The date of issue of the receipt,
- (c) The consecutive number of the receipt,
- (d) A statement whether the goods received will be delivered to the bearer, to a specified person, or to a specified person or his order,
- (e) The rate of storage charges,
- (f) A description of the goods or of the packages containing them,

**CHAP. 143**

(g) The signature of the warehouseman, which may be made by his authorized agent,

(h) If the receipt is issued for goods of which the warehouseman is owner, either solely or jointly or in common with other, the fact of such ownership and

(i) A statement of the amount of advances made and of liabilities incurred for which the warehouseman claims a lien. If the precise amount of such advances made or of such liabilities incurred is, at the time of the issue of the receipt, unknown to the warehouseman or to his agent who issues it, a statement of the fact that advances have been made or liabilities incurred and the purpose thereof is sufficient.

A warehouseman shall be liable to any person injured thereby, for all damages caused by the omission from a negotiable receipt of any of the terms herein required.

**Sec. 3. Form of receipts. What terms may be inserted.** A warehouseman may insert in a receipt, issued by him, any other terms and conditions, provided that such terms and conditions shall not:

(a) Be contrary to the provisions of this act,

(b) In any wise impair his obligation to exercise that degree of care in the safe-keeping of the goods entrusted to him which a reasonably careful man would exercise in regard to similar goods of his own.

**Sec. 4. Definition of non-negotiable receipts.** A receipt in which it is stated that the goods received will be delivered to the depositor, or to any other specified person, is a non-negotiable receipt.

**Sec. 5. Definition of negotiable receipt.** A receipt in which it is stated that the goods received will be delivered to the bearer, or to the order of any person named in such receipt is a negotiable receipt.

No provision shall be inserted in a negotiable receipt that it is non-negotiable. Such provision, if inserted, shall be void.

**Sec. 6. Duplicate receipts must be so marked.** When more than one negotiable receipt is issued for the same goods, the word "duplicate" shall be plainly placed upon the face of every such receipt, except the one first issued. A warehouseman shall be liable for all damage caused by his failure so to do to any one who purchased the subsequent receipt for value supposing it to be an original even though the purchase be after the delivery of the goods by the warehouseman to the holder of the original receipt.

**Sec. 7. Failure to mark "Not Negotiable."** A non-negotiable receipt shall have plainly placed upon its face by the warehouseman issuing it "non-negotiable," or "not-negotiable." In case of the warehouseman's failure so to do, a holder of the receipt who purchased it for value supposing it to be negotiable, may, at his option, treat such receipt as imposing upon the warehouseman the same liabilities he would have incurred had the receipt been negotiable.

This section shall not apply, however, to letters, memoranda, or written acknowledgments of an informal character.

**Obligations and Rights of Warehousemen upon their Receipts.**

**Sec. 8. Obligation of warehouseman to deliver.** A warehouseman, in the absence of some lawful excuse provided by this act, is bound to deliver the goods upon a demand made either by the holder of a receipt for the goods or by the depositor, if such demand is accompanied with:

- (a) An offer to satisfy the warehouseman's lien,
- (b) An offer to surrender the receipt if negotiable, with such indorsements as would be necessary for the negotiation of the receipt, and
- (c) A readiness and willingness to sign, when the goods are delivered, an acknowledgment that they have been delivered, if such signature is requested by the warehouseman.

In case the warehouseman refuses or fails to deliver the goods in compliance with a demand by the holder or depositor so accompanied, the burden shall be upon the warehouseman to establish the existence of a lawful excuse for such refusal.

**Sec. 9. Justification of warehouseman in delivering.** A warehouseman is justified in delivering the goods, subject to the provisions of the three following sections, to one who is:

- (a) The person lawfully entitled to the possession of the goods, or his agent,
- (b) A person who is either himself entitled to delivery by the terms of a non-negotiable receipt issued for the goods, or who has written authority from the person so entitled either indorsed upon the receipt or written upon another paper, or
- (c) A person in possession of a negotiable receipt by the terms of which the goods are deliverable to him or order or to bearer, or which has been indorsed to him or in blank by the person to whom delivery was promised by the terms of the receipt or by his mediate or immediate indorsee.

**Sec. 10. Warehouseman's liability for misdelivery.** Where a warehouseman delivers the goods to one who is not in fact lawfully entitled to the possession of them, the warehouseman shall be liable as for conversion to all having a right of property or possession in the goods if he delivered the goods otherwise than as authorized by subdivisions (b) and (c) of the preceding section and though he delivered the goods as authorized by said subdivisions he shall be so liable, if prior to such delivery he had either:

- (a) Been requested, by or on behalf of the person lawfully entitled to a right of property or possession in the goods, not to make such delivery, or
- (b) Had information that the delivery about to be made was to one not lawfully entitled to the possession of the goods.

**Sec. 11. Negotiable receipts must be cancelled when goods delivered.** Except as provided in section thirty-six, where a warehouseman delivers goods for which he had issued a negotiable receipt, the negotiation of which would transfer the right to the possession of the goods, and fails to take up and cancel the receipt, he shall be liable to any one who purchases for value in good faith such receipt, for failure to deliver the goods to him, whether such purchaser acquired title to the receipt before or after the delivery of the goods by the warehouseman.

## CHAP. 148

**Sec. 12. Negotiable receipts must be cancelled or marked when part of goods delivered.** Except as provided in section thirty-six, where a warehouseman delivers part of the goods for which he had issued a negotiable receipt and fails either to take up and cancel such receipt, or to place plainly upon it a statement of what goods or packages have been delivered he shall be liable, to any one who purchases for value in good faith such receipt, for failure to deliver all the goods specified in the receipt, whether such purchaser acquired title to the receipt before or after the delivery of any portion of the goods by the warehouseman.

**Sec. 13. Altered receipts.** The alteration of a receipt shall not excuse the warehouseman who issued it from any liability if such alteration was :

- (a) Immaterial,
- (b) Authorized, or
- (c) Made without fraudulent intent.

If the alteration was authorized, the warehouseman shall be liable according to the terms of the receipt as altered. If the alteration was unauthorized, but made without fraudulent intent, the warehouseman shall be liable according to the terms of the receipt, as they were before alteration.

Material and fraudulent alteration of a receipt shall not excuse the warehouseman who issued it from liability to deliver, according to the terms of the receipt as originally issued, the goods for which it was issued, but shall excuse him from any other liability to the person who made the alteration and to any person who took it with notice of the alteration. Any purchaser of the receipt for value without notice of the alteration shall acquire the same rights against the warehouseman which such purchaser would have acquired if the receipt had not been altered at the time of the purchase.

**Sec. 14. Lost or destroyed receipts.** Where a negotiable receipt has been lost or destroyed, a court of competent jurisdiction may order the delivery of the goods upon satisfactory proof of such loss or destruction and upon the giving of a bond with sufficient sureties to be approved by the court to protect the warehouseman from any liability or expense, which he or any person injured by such delivery may incur by reason of the original receipt remaining outstanding. The court may also in its discretion order the payment of the warehouseman's reasonable costs and counsel fees.

The delivery of the goods under an order of the court as provided in this section, shall not relieve the warehouseman from liability to a person to whom the negotiable receipt has been or shall be negotiated for value without notice of the proceedings or of the delivery of the goods.

**Sec. 15. Effect of duplicate receipts.** A receipt upon the face of which the word "duplicate" is plainly placed is a representation and warranty by the warehouseman that such receipt is an accurate copy of an original receipt properly issued and uncanceled at the date of the issue of the duplicate, but shall impose upon him no other liability.

**Sec. 16. Warehouseman can not set up title in himself.** No title or right to the possession of the goods, on the part of the warehouseman, unless such title or right is derived directly or indirectly from a transfer



made by the depositor at the time of or subsequent to the deposit for storage, or from the warehouseman's lien, shall excuse the warehouseman from liability for refusing to deliver the goods according to the terms of the receipt.

**Sec. 17. Interpleader of adverse claimants.** If more than one person claims the title or possession of the goods, the warehouseman may, either as a defense to an action brought against him for non-delivery of the goods, or as an original suit, whichever is appropriate, require all known claimants to interplead.

**Sec. 18. Warehouseman has reasonable time to determine validity of claims.** If some one other than the depositor or person claiming under him has a claim to the title or possession of the goods, and the warehouseman has information of such claim, the warehouseman shall be excused from liability for refusing to deliver the goods, either to the depositor or person claiming under him or to the adverse claimant, until the warehouseman has had a reasonable time to ascertain the validity of the adverse claim or to bring legal proceedings to compel all claimants to interplead.

**Sec. 19. Adverse title is no defense except as above provided.** Except as provided in the two preceding sections and in sections nine and thirty-six, no right or title of a third person shall be a defense to an action brought by the depositor or person claiming under him against the warehouseman for failure to deliver the goods according to the terms of the receipt.

**Sec. 20. Liability for non-existence or misdescription of goods.** A warehouseman shall be liable to the holder of a receipt for damages caused by the non-existence of the goods or by the failure of the goods to correspond with the description thereof in the receipt at the time of its issue. If, however, the goods are described in a receipt merely by a statement of marks or labels upon them, or upon packages containing them or by a statement that the goods are said to be goods of a certain kind, or that the packages containing the goods are said to contain goods of a certain kind, or by words of like purport, such statements, if true, shall not make liable the warehouseman issuing the receipt, although the goods are not of the kind which the marks or labels upon them indicate, or of the kind they were said to be by the depositor.

**Sec. 21. Liability for care of goods.** A warehouseman shall be liable for any loss or injury to the goods caused by his failure to exercise such care in regard to them as a reasonably careful owner of similar goods would exercise, but he shall not be liable, in the absence of an agreement to the contrary, for any loss or injury to the goods which could not have been avoided by the exercise of such care.

**Sec. 22. Goods must be kept separate.** Except as provided in the following section, a warehouseman shall keep the goods so far separate from goods of other depositors, and from other goods of the same depositor

**CHAP. 148**

for which a separate receipt has been issued, as to permit at all times the identification and re-delivery of the goods deposited.

**Sec. 23. Fungible goods may be commingled, if warehouseman authorized.** If authorized by agreement or by custom, a warehouseman may mingle fungible goods with other goods of the same kind and grade. In such case the various depositors of the mingled goods shall own the entire mass in common and each depositor shall be entitled to such portion thereof as the amount deposited by him bears to the whole.

**Sec. 24. Liability of warehouseman to depositors of commingled goods.** The warehouseman shall be severally liable to each depositor for the care and re-delivery of his share of such mass to the same extent and under the same circumstances as if the goods had been kept separate.

**Sec. 25. Attachment or levy upon goods for which a negotiable receipt has been issued.** If goods are delivered to a warehouseman by the owner or by a person whose act in conveying the title to them to a purchaser in good faith for value would bind the owner, and a negotiable receipt is issued for them, they can not thereafter, while in the possession of the warehouseman, be attached by garnishment or otherwise, or be levied upon under an execution, unless the receipt be first surrendered to the warehousemen, or its negotiation enjoined. The warehouseman shall in no case be compelled to deliver up the actual possession of the goods until the receipt is surrendered to him or impounded by the court.

**Sec. 26. Creditors' remedies to reach negotiable receipts.** A creditor whose debtor is the owner of a negotiable receipt shall be entitled to such aid from courts of appropriate jurisdiction, by injunction and otherwise, in attaching such receipt or in satisfying the claim by means thereof as is allowed at law or in equity, in regard to property which can not readily be attached or levied upon by ordinary legal process.

**Sec. 27. What claims are included in the warehouseman's lien.** Subject to the provisions of section thirty, a warehouseman shall have a lien on goods deposited or on the proceeds thereof in his hands, for all lawful charges for storage and preservation of the goods; also for all lawful claims for money advanced, interest, insurance, transportation, labor, weighing, cooperating and other charges and expenses in relation to such goods; also for all reasonable charges and expenses for notice, and advertisements of sale, and for sale of the goods where default has been made in satisfying the warehouseman's lien.

**Sec. 28. Against what property the lien may be enforced.** Subject to the provisions of section thirty a warehouseman's lien may be enforced:

(a) Against all goods, whenever deposited, belonging to the person who is liable as debtor for the claims in regard to which the lien is asserted, and

(b) Against all goods belonging to others which have been deposited at any time by the person who is liable as debtor for the claims in regard to which the lien is asserted, if such person had been so entrusted with the possession of the goods that a pledge of the same by him at the time

of the deposit to one who took the goods in good faith for value would have been valid.

**Sec. 29. How the lien may be lost.** A warehouseman loses his lien upon goods:

- (a) By surrendering possession thereof, or
- (b) By refusing to deliver the goods when a demand is made with which he is bound to comply under the provisions of this act.

**Sec. 30. Negotiable receipt must state charges for which lien is claimed.** If a negotiable receipt is issued for goods, the warehouseman shall have no lien thereon, except for charges for storage of those goods subsequent to the date of the receipt, unless the receipt expressly enumerates other charges for which a lien is claimed. In such case there shall be a lien for the charges enumerated so far as they are within the terms of section twenty-seven, although the amount of the charges so enumerated is not stated in the receipt.

**Sec. 31. Warehouseman need not deliver until lien is satisfied.** A warehouseman having a lien valid against the person demanding the goods may refuse to deliver the goods to him until the lien is satisfied.

**Sec. 32. Warehouseman's lien does not preclude other remedies.** Whether a warehouseman has or has not a lien upon the goods, he is entitled to all remedies allowed by law to a creditor against his debtor, for the collection from the depositor of all charges and advances which the depositor has expressly or impliedly contracted with the warehouseman to pay.

**Sec. 33. Satisfaction of lien by sale.** A warehouseman's lien for a claim which has become due may be satisfied as follows:

The warehouseman shall give a written notice to the person on whose account the goods are held, and to any other person known by the warehouseman to claim an interest in the goods. Such notice shall be given by delivery in person or by registered letter addressed to the last known place of business or abode of the person to be notified. The notice shall contain:

- (a) An itemized statement of the warehouseman's claim, showing the sum due at the time of the notice and the date or dates when it became due,
- (b) A brief description of the goods against which the lien exists,
- (c) A demand that the amount of the claim as stated in the notice, and of such further claim as shall accrue, shall be paid on or before a day mentioned, not less than ten days from the delivery of the notice if it is personally delivered, or from the time when the notice should reach its destination, according to the due course of post, if the notice is sent by mail, and
- (d) A statement that unless the claim is paid within the time specified the goods will be advertised for sale and sold by auction at a specified time and place.

In accordance with the terms of a notice so given, a sale of the goods by auction may be had to satisfy any valid claim of the warehouseman for which he has a lien on the goods. The sale shall be had in the place

**CHAP. 143**

where the lien was acquired, or, if such place is manifestly unsuitable for the purpose, at the nearest suitable place. After the time for the payment of the claim specified in the notice to the depositor has elapsed, an advertisement of the sale, describing the goods to be sold, and stating the name of the owner or person on whose account the goods are held, and the time and place of the sale, shall be published once a week for two consecutive weeks in a newspaper published in the place where such sale is to be held. The sale shall not be held less than fifteen days from the time of the first publication. If there is no newspaper published in such place, the advertisement shall be posted at least ten days before such sale in not less than six conspicuous places therein.

From the proceeds of such sale the warehouseman shall satisfy his lien, including the reasonable charges of notice, advertisement, and sale. The balance, if any, of such proceeds shall be held by the warehouseman, and delivered on demand to the person to whom he would have been bound to deliver or justified in delivering the goods.

At any time before the goods are so sold any person claiming a right of property or possession therein may pay the warehouseman the amount necessary to satisfy his lien and to pay the reasonable expenses and liabilities incurred in serving notices and advertising and preparing for the sale up to the time of such payment. The warehouseman shall deliver the goods to the person making such payment if he is a person entitled, under the provisions of this act, to the possession of the goods on payment of charges thereon. Otherwise the warehouseman shall retain possession of the goods according to the terms of the original contract of deposit.

**Sec. 34. Perishable and hazardous goods.** If goods are of a perishable nature, or by keeping will deteriorate greatly in value, or by their odor, leakage, inflammability, or explosive nature, will be liable to injure other property, the warehouseman may give such notice to the owner, or to the person in whose name the goods are stored, as is reasonable and possible under the circumstances, to satisfy the lien upon such goods, and to remove them from the warehouse, and in the event of the failure of such person to satisfy the lien and to remove the goods within the time so specified, the warehouseman may sell the goods at public or private sale without advertising. If the warehouseman after a reasonable effort is unable to sell such goods, he may dispose of them in any lawful manner, and shall incur no liability by reason thereof.

The proceeds of any sale made under the terms of this section shall be disposed of in the same way as the proceeds of sales made under the terms of the preceding section.

**Sec. 35. Other methods of enforcing liens.** The remedy for enforcing a lien herein provided does not preclude any other remedies allowed by law for the enforcement of a lien against personal property nor bar the right to recover so much of the warehouseman's claim as shall not be paid by the proceeds of the sale of the property.

**Sec. 36. Effect of sale.** After goods have been lawfully sold to satisfy a warehouseman's lien or have been lawfully sold or disposed of because

of their perishable or hazardous nature, the warehouseman shall not thereafter be liable for failure to deliver the goods to the depositor, or owner of the goods, or to a holder of the receipt given for the goods when they were deposited, even if such receipt be negotiable.

### **Negotiation and Transfer of Receipts.**

**Sec. 37. Negotiation of negotiable receipts by delivery.** A negotiable receipt may be negotiated by delivery:

(a) Where, by the terms of the receipt, the warehouseman undertakes to deliver the goods to the bearer, or

(b) Where, by the terms of the receipt, the warehouseman undertakes to deliver the goods to the order of a specified person, and such person or a subsequent indorsee of the receipt has indorsed it in blank or to bearer.

Where, by the terms of a negotiable receipt, the goods are deliverable to bearer or where a negotiable receipt has been indorsed in blank or to bearer, any holder may indorse the same to himself or to any other specified person, and in such case the receipt shall thereafter be negotiated only by the indorsement of such indorsee.

**Sec. 38. Negotiation of negotiable receipts by indorsement.** A negotiable receipt may be negotiated by the indorsement of the person to whose order the goods are, by the terms of the receipt, deliverable. Such endorsement may be in blank, to bearer or to a specified person. If endorsed to a specified person, it may be again negotiated by the endorsement of such person in blank, to bearer or to another specified person. Subsequent negotiation may be made in like manner.

**Sec. 39. Transfer of receipts.** A receipt which is not in such form that it can be negotiated by delivery may be transferred by the holder by delivery to a purchaser or donee.

A non-negotiable receipt cannot be negotiated, and the indorsement of such a receipt gives the transferee no additional right.

**Sec. 40. Who may negotiate a receipt.** A negotiable receipt may be negotiated:

(a) By the owner thereof, or

(b) By any person to whom the possession or custody of the receipt has been entrusted by the owner, if, by the terms of the receipt, the warehouseman undertakes to deliver the goods to the order of the person to whom the possession or custody of the receipt has been entrusted, or if at the time of such entrusting the receipt is in such form that it may be negotiated by delivery.

**Sec. 41. Rights of person to whom a receipt has been negotiated.** A person to whom a negotiable receipt has been duly negotiated acquires thereby:

(a) Such title to the goods as the person negotiating the receipt to him had or had ability to convey to a purchaser in good faith for value, and also such title to the goods as the depositor or person to whose order

**CHAP. 148**

the goods were to be delivered by the terms of the receipt had or had ability to convey to a purchaser in good faith for value, and

(b) The direct obligation of the warehouseman to hold possession of the goods for him according to the terms of the receipt as fully as if the warehouseman had contracted directly with him.

**Sec. 42. Rights of person to whom a receipt has been transferred.** A person to whom a receipt has been transferred but not negotiated, acquires thereby, as against the transferor, the title of the goods, subject to the terms of any agreement with the transferor.

If the receipt is non-negotiable such person also acquires the right to notify the warehouseman of the transfer to him of such receipt, and thereby to acquire the direct obligation of the warehouseman to hold possession of the goods for him according to the terms of the receipt.

Prior to the notification of the warehouseman by the transferor or transferee of a non-negotiable receipt, the title of the transferee to the goods and the right to acquire the obligation of the warehouseman may be defeated by the levy of an attachment or execution upon the goods by a creditor of the transferor, or by a notification to the warehouseman by the transferor or a subsequent purchaser from the transferor of a subsequent sale of the goods by the transferor.

**Sec. 43. Transfer of negotiable receipt without indorsement.** Where a negotiable receipt is transferred for value by delivery, and the indorsement of the transferor is essential for negotiation, the transferee acquires a right against the transferor to compel him to indorse the receipt, unless a contrary intention appears. The negotiation shall take effect as of the time when the indorsement is actually made.

**Sec. 44. Warranties on sale of receipt.** A person who for value negotiates or transfers a receipt by indorsement or delivery, including one who assigns for value a claim secured by a receipt, unless a contrary intention appears, warrants:

- (a) That the receipt is genuine,
- (b) That he has a legal right to negotiate or transfer it,
- (c) That he has knowledge of no fact which would impair the validity or worth of the receipt, and
- (d) That he has a right to transfer the title to the goods and that the goods are merchantable or fit for a particular purpose whenever such warranties would have been implied, if the contract of the parties had been to transfer without a receipt the goods represented thereby.

**Sec. 45. Indorser not a guarantor.** The indorsement of a receipt shall not make the indorser liable for any failure on the part of the warehouseman or previous indorsers of the receipt to fulfill their respective obligations.

**Sec. 46. No warranty implied from accepting payment of a debt.** A mortgagee, pledgee or holder for security of a receipt who in good faith demands or receives payment of the debt for which such receipt is security, whether from a party to a draft drawn for such debt or from any other

**CHAP. 143**

person, shall not by so doing be deemed to represent or to warrant the genuineness of such receipt or the quantity or quality of the goods therein described.

**Sec. 47. When negotiation not impaired by fraud, mistake, or duress.** The validity of the negotiation of a receipt is not impaired by the fact that such negotiation was a breach of duty on the part of the person making the negotiation, or by the fact that the owner of the receipt was induced by fraud, mistake, or duress to entrust the possession or custody of the receipt to such person, if the person to whom the receipt was negotiated, or a person to whom the receipt was subsequently negotiated, paid value therefor, without notice of the breach of duty, or fraud, mistake or duress.

**Sec. 48. Subsequent negotiation.** Where a person having sold, mortgaged, or pledged goods which are in a warehouse and for which a negotiable receipt has been issued, or having sold, mortgaged, or pledged the negotiable receipt representing such goods, continues in possession of the negotiable receipt, the subsequent negotiation thereof by that person under any sale or other disposition thereof to any person receiving the same in good faith, for value and without notice of the previous sale, mortgage or pledge, shall have the same effect as if the first purchaser of the goods or receipt had expressly authorized the subsequent negotiation.

**Sec. 49. Negotiation defeats vendor's lien.** Where a negotiable receipt has been issued for goods, no seller's lien or right of stoppage in transitu shall defeat the rights of any purchaser for value in good faith to whom such receipt has been negotiated, whether such negotiation be prior or subsequent to the notification to the warehouseman who issued such receipt of the seller's claim to a lien or right of stoppage in transitu. Nor shall the warehouseman be obliged to deliver or justified in delivering the goods to an unpaid seller unless the receipt is first surrendered for cancellation.

**Criminal Offenses.**

**Sec. 50. Issue of receipt for goods not received.** A warehouseman, or any officer, agent, or servant of a warehouseman, who issues or aids in issuing a receipt knowing that the goods for which such receipt is issued have not been actually received by such warehouseman, or are not under his actual control at the time of issuing such receipt, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

**Sec. 51. Issue of receipt containing false statement.** A warehouseman, or any officer, agent or servant of a warehouseman, who fraudulently issues or aids in fraudulently issuing a receipt of goods knowing that it contains any false statement, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

**CHAP. 148**

**Sec. 52. Issue of duplicate receipts not so marked.** A warehouseman, or any officer's agent, or servant of a warehouseman, who issues or aids in issuing a duplicate or additional negotiable receipt for goods knowing that a former negotiable receipt for the same goods or any part of them is outstanding and uncanceled, without plainly placing upon the face thereof the word "Duplicate" except in the case of a lost or destroyed receipt after proceedings as provided for in section fourteen, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding five years, or by a fine not exceeding five thousand dollars, or by both.

**Sec. 53. Issue for warehouseman's goods of receipts which do not state that fact.** Where there are deposited with or held by a warehouseman goods of which he is owner, either solely or jointly or in common with others, such warehouseman, or any of his officers, agents, or servants who, knowing this ownership, issues or aids in issuing a negotiable receipt for such goods which does not state such ownership, shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

**Sec. 54. Delivery of goods without obtaining negotiable receipt.** A warehouseman, or any officer, agent, or servant of a warehouseman who delivers goods out of the possession of such warehouseman, knowing that a negotiable receipt the negotiation of which would transfer the right to the possession of such goods is outstanding and uncanceled, without obtaining the possession of such receipt at or before the time of such delivery, shall, except in the cases provided for in sections fourteen and thirty-six, be found guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

**Sec. 55. Negotiation of receipt for mortgaged goods.** Any person who deposits goods to which he has not title, or upon which there is a lien or mortgage, and who takes for such goods a negotiable receipt which he afterwards negotiates for value with intent to deceive and without disclosing his want of title or the existence of the lien or mortgage shall be guilty of a crime, and upon conviction shall be punished for each offense by imprisonment not exceeding one year, or by a fine not exceeding one thousand dollars, or by both.

**Interpretation.**

**Sec. 56. When rules of common law still applicable.** In any case not provided for in this act, the rules of law and equity, including the law merchant, and in particular the rules relating to the law of principal and agent and to the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy, or other invalidating cause, shall govern.

**Sec. 57. Interpretation shall give effect to purpose of uniformity.** This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.



## CHAP. 144

**Sec. 58. Definitions.** (1) In this act, unless the context or subject matter otherwise requires:

"Action" includes counter claim, set-off, and suit in equity.

"Delivery" means voluntary transfer of possession from one person to another.

"Fungible goods" means goods of which any unit is, from its nature or by mercantile custom treated as the equivalent of any other unit.

"Goods" means chattels or merchandise in storage, or which has been or is about to be stored.

"Holder" of a receipt means a person who has both actual possession of such receipt and a right of property therein.

"Order" means an order by indorsement on the receipt.

"Owner" does not include mortgagee or pledgee.

"Person" includes a corporation or partnership or two or more persons having a joint or common interest.

To "purchase" includes to take as mortgagee or as pledgee.

"Purchaser" includes mortgagee and pledgee.

"Receipt" means a warehouse receipt.

"Value," is any consideration sufficient to support a simple contract. An antecedent or pre-existing obligation, whether for money or not, constitutes value where a receipt is taken either in satisfaction thereof or as security therefor.

"Warehouseman" means a person lawfully engaged in the business of storing goods for profit.

(2) A thing is done "in good faith" within the meaning of this act, when it is in fact done honestly, whether it be done negligently or not.

**Sec. 59. Act does not apply to existing receipts.** The provisions of this act do not apply to receipts made and delivered prior to the taking effect of this act.

**Sec. 60. Inconsistent legislation repealed.** All acts or parts of acts inconsistent with this act are hereby repealed.

**Sec. 61. Name of act.** This act may be cited as the "Uniform Warehouse Receipts Act."

Approved March 31, 1917.

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## Chapter 144.

An Act Additional to Revised Statutes, Chapter Fifty-one, Relating to Corporations.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 51, relating to corporations, amended.** Chapter fifty-one of the revised statutes is hereby amended by adding at the end of said chapter five new sections to be sections one hundred fifteen, one hundred and sixteen, one hundred and seventeen, one hundred and eighteen and one hundred and nineteen, and to read respectively as follows:

## CHAP. 144

**'Sec. 115. Certificate of incorporation may provide for issuance of stock par value not stated. Exceptions. Conditions.** Upon the formation of any corporation other than a corporation for banking, insurance, or intended to derive profit from the loan or use of money, or a corporation under the jurisdiction of the public utilities commission the certificate of incorporation may provide for the issuance of the shares of stock of such corporation, other than preferred stock having a preference as to principal, without any nominal or par value by stating in such certificate:

(a) The number of shares that may be issued by the corporation, and if any of such shares be preferred stock, the preferences thereof. If such preferred stock or any part thereof shall have a preference as to principal, the certificate shall state the amount of such preferred stock having such preference, the particular character of such preferences, and the amount of each share thereof, which shall be five dollars or some multiple of five dollars, but not more than one hundred dollars.

(b) The amount of capital with which the corporation will carry on business, which amount shall be not less than the amount of preferred stock, if any, authorized to be issued with a preference as to principal, and in addition thereto a sum equivalent to five dollars or to some multiple of five dollars for every share authorized to be issued other than such preferred stock; but in no event shall the amount of such capital be less than one thousand dollars.

Such statements in the certificate shall be in lieu of any statements now or heretofore prescribed by law as to the amount of its capital stock or the number of shares into which the same shall be divided, or of the par value of such shares.

Each share of such stock without nominal or par value shall be equal to every other share of such stock, subject to the preference given to the preferred stock, if any, authorized to be issued. Every certificate for such shares without nominal or par value shall have plainly written or printed upon its face the number of such shares which it represents and the number of such shares which the corporation is authorized to issue, and no such certificate shall express any nominal or par value of such shares. The certificates for preferred shares having a preference as to principal shall state briefly the amount which the holders of each of such preferred shares shall be entitled to receive on account of principal from the surplus assets of the corporation in preference to the holders of other shares, and shall state briefly any other rights or preferences given to the holders of such shares.

Such corporation may issue and may sell its authorized shares, from time to time, for such consideration as may be prescribed in the certificate of incorporation, or as from time to time may be fixed by the board of directors pursuant to authority conferred in such certificate, or if such certificate shall not so provide, then by the consent of the holders of two-thirds of each class of shares then outstanding given at a meeting called for that purpose in such manner as shall be prescribed by the by-laws. Any and all shares issued as permitted by this section shall be deemed fully paid and non-assessable and the holder of such shares shall not be liable to the corporation or to its creditors in respect thereof.'

## CHAP. 144

**'Sec. 116. Capital stock of corporations, formed under preceding section, must be fully paid in before business is commenced or debts incurred. Dividends not to be declared which shall reduce capital stock below amount stated in certificate. Directors liable jointly and severally. No corporation formed pursuant to section one hundred and fifteen hereof shall begin to carry on business or shall incur any debts until the amount of capital stated in its certificate of incorporation shall have been fully paid in money or in property taken at its actual value. In case the amount of capital stated in its certificate of incorporation shall be increased as herein-after provided, such corporation shall not increase the amount of its indebtedness then existing until it shall have received in money or property the amount of such increase of its stated capital. The directors of the corporation assenting to the creation of any debt in violation of this section shall be liable jointly and severally for such debt; but no action shall be brought under the foregoing provision of this section unless within one year after the debt shall have been incurred the creditor shall have served upon the director written notice of intention to hold him personally liable for such debt. Any director who, because of any such liability under this section, shall pay any debt of the corporation, shall be subrogated to all rights of the creditor in respect thereof against the corporation and its property and also shall be entitled to contribution from all other directors of the corporation similarly liable for the same debt and the personal representative of any such director who shall have died before making such contribution.**

No such corporation shall declare any dividend which shall reduce the amount of its capital below the amount stated in the certificate as the amount of capital with which the corporation will carry on business. In case any such dividend shall be declared, the directors in whose administration the same shall have been declared, except those who may have caused their dissent therefrom to be entered upon the minutes of such directors at the time or who were not present when such action was taken, shall be liable jointly and severally to such corporation and to the creditors thereof to the full amount of any loss sustained by such corporation or by its creditors respectively by reason of such dividend.'

**'Sec. 117. Certificate may be amended. Number of shares and capital stock may be reduced or increased. Certificates of change to be filed with secretary of state; must be approved by attorney general. Provisions.** Any corporation formed pursuant to section one hundred and fifteen may amend its certificate of incorporation so as to increase or to reduce the number of shares which it may issue, or so as to increase or to reduce the amount of its stated capital, by filing, in the secretary of state's office, a certificate of amendment under seal executed by its president or a vice-president and by its clerk or its treasurer, stating the amendment proposed and that the same has been duly authorized by a vote of a majority of the directors and also by the vote of the holders of at least three-fifths of the outstanding shares of each class issued by the corporation, at a meeting of the stockholders called for the purpose, and by filing with such certificate of amendment a copy of the proceedings of such meeting, made, signed, verified and acknowledged by the president or a vice-

**CHAP. 144**

president and by the clerk or the treasurer of the corporation; but an amendment cannot be made under this section unless as so amended the certificate of incorporation could lawfully have been filed under section one hundred and fifteen of this chapter. In case of a reduction of the amount of capital of a corporation, a certificate setting forth the whole amount of the ascertained debts and liabilities of the corporation shall be made, signed, verified and acknowledged by the president or a vice-president and by the clerk or the treasurer of the corporation and shall be filed with the certificate of amendment; and such certificate of amendment shall have endorsed thereon the certificate of the attorney general that he has received satisfactory proof that as so stated the reduced amount of capital is sufficient for the proper purposes of the corporation and is in excess of its ascertained debts and liabilities.'

**'Sec. 118. Fees of incorporation; annual franchise tax, how determined.** For the purpose of any rule of law or of any statutory provision other than the foregoing sections one hundred and fifteen, one hundred and sixteen and one hundred and seventeen or of determining the amount to be paid to the treasurer of the state for the use of the state as provided in section nine of this chapter, or of determining the amount of the annual franchise tax as provided in section eighteen of chapter nine of the revised statutes, but for no other purpose, shares without nominal or par value shall be assumed to be of the par value of one hundred dollars each.'

**'Sec. 119. Preferred stock not to be called in when by so doing capital stock reduced below amount fixed. Penalty for violation.** In case the certificate of organization of a corporation formed pursuant to section one hundred and fifteen hereof shall provide for an issue of preferred stock and shall also provide that such stock may be called in and retired at any price stated in the provisions describing the preferences of such shares, such preferred stock shall not be thus called in or retired if thereby the property and assets of the corporation shall be reduced below the amount stated in the certificate of organization or fixed in accordance with the provisions of section one hundred and seventeen, as the capital with which the corporation will carry on business, nor shall such preferred stock be thus called in or retired if thereby the property and assets of the corporation shall be reduced below the amount of its outstanding debts and liabilities.

In case the certificate of organization of any corporation organized under section seven of this chapter shall provide for an issue of preferred stock and shall also provide that such stock may be called in and retired at any price stated in the provisions describing the preferences of such shares, such stock shall not be thus called in or retired if thereby the property and assets of the corporation shall be reduced below the amount of its outstanding debts and liabilities.

Any officer or member of a corporation who votes for or aids in the calling and retiring of preferred stock in violation hereof shall be fined not exceeding two thousand dollars and imprisoned less than one year; and all sums received for such stock so called in and retired in violation hereof may be recovered by any creditor of the corporation in an action on the case.'

Approved March 31, 1917.

## Chapter 145.

**An Act to Require Automatic Signals and the Removal of Obstructions at Certain Grade Crossings not Protected by Gates or Flagmen.**

**Preamble.** Whereas, the installation and operation of "automatic signals" so-called and the removal of obstructions at certain grade crossings in this state are necessary for the preservation of the safety of the public, and

Whereas, such necessity makes the following act an emergency measure immediately necessary for the preservation of the public peace, health or safety, now, therefore

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Public utilities commission may require installation of automatic signals at highway crossings. Expense how borne; term defined.** The public utilities commission is hereby given authority to require each steam railroad company operating within this state to install, operate and maintain an automatic signal at any highway crossing within this state, where, after reasonable notice and hearing, said commission shall decide that public safety requires such signal as a proper measure of protection. The expense of installing, operating and maintaining any such signal shall be borne by the corporation operating the railroad passing over the crossing to be protected. Wherever the term "signal" or "automatic signal" is used in this act, same shall be construed to be an appliance which gives warning of the approach of a train and which is audible and visible by day and by night.

**Sec. 2. Commission shall designate crossings.** Immediately upon the passage of this act, the public utilities commission shall designate by general orders, which may be issued without formal notice or hearing, the grade crossings in this state at which, from all points on the highway or other way within one hundred and fifty feet of such crossings and on either side thereof measured along said highway or way a traveler on the way carrying such crossing can have a fair view of an approaching train, engine or car continuously from the time such train, engine or car is three hundred feet from such crossing until it has passed over the same, either under existing conditions or by bushes, trees, fences, signboards or encroachments being trimmed, cut down or removed as hereinafter provided.

**Sec. 3. Municipal officers, on order of commission, to remove obstructions. Ten days' notice to be given to interested parties.** At every crossing designated under the provisions of the preceding section and at every crossing of a highway or other way and an electric railroad at grade the municipal officers of the town in which the crossing is located are given authority and are hereby required, when by order directed so to do by the public utilities commission, after ten days notice to all persons interested, to remove embankments and other obstructions within highway limits and to enter upon private property and properly trim, cut down or remove bushes, trees, fences, signboards and encroachments which obstruct the view of an engine, train or car by a traveler at or near any such

**CHAP. 145**

crossing. The authority of the commission in any order and of the municipal officers acting thereunder shall not extend beyond a point one hundred and fifty feet on either side of any such crossing measured along the highway or other way or beyond a point three hundred feet on either side of any such crossing measured along the railroad right of way, the purpose herein being to enable a traveler on any such way, when such traveler is one hundred and fifty feet or less distant from any such crossing, to have a fair view of an approaching train, engine or car continuously from the time such train, engine or car is three hundred feet from such crossing until it has passed over the same.

**Sec. 4. Expense of removal to be paid by municipality; partial reimbursement by state.** Within such time as said commission by order directs, such municipal officers shall cause such bushes, trees, fences, sign-boards or encroachments to be trimmed, cut down or removed, and the expense thereof shall in the first instance be paid by the city, town or plantation wherein the labor is performed, but upon the filing with the governor and council of proper proof of such payment, one-half of any such amount shall be repaid by the state to such city, town or plantation, the same to be paid out of any funds not otherwise appropriated.

**Sec. 5. Damages; commission to determine amount; municipality and state to share in payment.** If any person claims damages on account of any act done under the two preceding sections, he may within two years after the doing of any such act, petition the public utilities commission to assess his damages and the said commission, after reasonable notice to the petitioner and to the interested city, town or plantation, and after hearing, shall award such sum as seems proper as damages to be paid by the city, town or plantation wherein the property is located. Upon proper proof of any such payment, the governor and council shall cause one-half thereof to be paid by the state to such city, town or plantation.

**Sec. 6. Buildings not to be removed without consent of owner.** Nothing in the four preceding sections contained shall authorize the removal of any building without the consent of the owner thereof.

**Sec. 7. Inconsistent statute repealed.** So much of section one hundred eleven of chapter twenty-four of the revised statutes as authorizes the state highway department to enter upon private property at railroad crossings for purposes named therein is hereby repealed.

**Sec. 8. Interference in performance of duty; penalty and jurisdiction.** Obstruction or interference with the performance of any act authorized or required hereunder is hereby declared to be a misdemeanor, and any person convicted of the same shall be fined not more than twenty dollars or imprisoned not more than thirty days. Jurisdiction over each such offense is hereby conferred on each municipal court and trial justice in the state.

**Sec. 9. Commission to serve upon railroad companies list of grade crossings where automatic signals are to be maintained. Hearing to be ordered. Companies given period of four years to complete installation.** Within sixty days after the passage of this act the public utilities com-

## CHAP. 145

mission shall serve upon each steam railroad company operating in this state a list of its grade crossings at which in the opinion of the commission automatic signals should be installed, operated and maintained or some other form of protection given to travelers on the highway or other way, and shall order a date for public hearing thereon, at which time the respective railroad companies shall show cause why such protection as suggested by said commission should not be given. Within thirty days after said hearing the commission shall determine and, by order served on the respective railroad companies, shall state the character of protection, if any, to be installed at each such crossing and shall set a date or dates on or before which each such crossing shall be protected in the manner prescribed by said commission; and in so far as practicable the commission shall require each railroad company to protect one quarter of said grade crossings during the calendar year nineteen hundred and seventeen, and one quarter during each of the three succeeding calendar years, giving preference in point of time to the more dangerous crossings, but for good cause shown the commission may suspend any such order or may extend the time within which any railroad company shall comply therewith. If at any such crossing the railroad company passing over the same shall, under existing law, under the provisions of this act or at its own expense, remove obstructions so as to permit a fair view as described in section two hereof, such crossing shall not thereafter, so long as such fair view is maintained, be held to be subject to the provisions of this section.

**Sec. 10. Orders of commission, how enforced.** All orders of the commission made under this act may be enforced in the manner provided in chapter fifty-five of the revised statutes. The supreme judicial court is hereby given jurisdiction at law and in equity to enforce compliance of any order issued by the public utilities commission under this act. It shall be the duty of said commission to see that the rights of the public under this act are fully protected.

**Sec. 11. Applicable only to steam railroads.** Except where otherwise herein expressly specified this act shall apply only to railroads operated in whole or principally by steam power.

**Sec. 12. Railroad company may enter upon private property.** For the purpose of creating and maintaining the fair view mentioned in this act, any steam railroad company subject to the provisions hereof may enter upon private property and remove any embankment or other obstruction except a dwelling house. The owner of such property is entitled to damages, and may have the same estimated and paid in the manner provided in chapter fifty-six, revised statutes, and there shall be the same right of appeal as therein given.

**Sec. 13. Certain railroads excepted.** The provisions of this act shall not apply to railroads of less than standard gauge, nor to the Georges Valley Railroad Company.

**Sec. 14. Emergency Clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved March 31, 1917.

## Chapter 146.

**An Act to Amend Section Twenty-one of Chapter Forty-nine of the Revised Statutes, Relating to Regulations for Employment of Minors between Fourteen and Sixteen Years Old.**

*Be it enacted by the People of the State of Maine, as follows :*

**R. S., c. 49, § 21, relating to the employment of minors between the ages of fourteen and sixteen.** Section twenty-one of chapter forty-nine of the revised statutes is hereby amended by inserting after the words: "or a passport showing the" in the twenty-third line of said section, the words 'date of', and inserting after the word "birth" in the same line of said section, the words: 'In the event of the minor being unable to produce the evidence heretofore mentioned, and the person authorized to issue the work permit being satisfied of that fact, the said work permit may be issued on other documentary evidence of age satisfactory to the person authorized to issue the work permit, provided said documentary evidence has been approved by the state commissioner of labor,' so that said section as amended shall read as follows:

**'Sec. 21. Work permit may be produced on documentary evidence approved by commissioner of labor.** No minor between the ages of fourteen and sixteen years shall be employed, permitted or suffered to work in any of the aforementioned occupations unless the person, firm or corporation employing such child procures and keeps on file accessible to any truant officer, factory inspector or other authorized officer charged with the enforcement of sections twenty to thirty-one, both inclusive, of this chapter, a work permit issued to said child by the superintendent of schools of the city or town in which the child resides, or by some person authorized by him in writing. The person authorized to issue a work permit shall not issue such permit until such child has demonstrated his ability to read at sight and write simple sentences in the English language and perform simple arithmetical problems involving the fundamental processes of addition, subtraction, multiplication and division, such educational test to be prepared and furnished by the superintendent of schools or the school committee of each city and town in the state, or has furnished a certificate to that effect signed by any teacher in any of the public schools of the city or town in which such child resides, or by the principal of any approved private school; nor until he has received, examined, approved and filed satisfactory evidence of age showing that the child is fourteen years old or upwards; such evidence shall consist of a certified copy of the town clerk's record of the birth of said child, or a certified copy of his baptismal record, showing the date of his birth and place of baptism, or a passport showing the date of birth. In the event of the minor being unable to produce the evidence heretofore mentioned, and the person authorized to issue the work permit being satisfied of that fact, the said work permit may be issued on other documentary evidence of age satisfactory to the person authorized to issue the work permit, provided said documentary evidence has been approved by the state commissioner of labor. The superintendent of schools, or the person authorized to issue such work permit may require, in doubt-



## CHAP. 147

ful cases, a certificate signed by a physician appointed by the school board, or, in case there is no school physician, from the medical officer of the board of health, stating that such child has been examined by him, and, in his opinion, has reached the normal development of a child of its age, and is in sufficiently sound health and physically able to perform the work which he intends to do. The state factory inspector, his deputy or agent, may require a similar certificate in doubtful cases of the minors employed under a work permit. A work permit when duly issued shall excuse such child from attendance at public school; but no person shall issue such permit to any minor then in or about to enter his employment or the employment of the firm or corporation of which he is a member, stockholder, officer or employe.'

Approved March 31, 1917.

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## Chapter 147.

An Act to Amend Section Twenty-seven of Chapter Fifty-two of the Revised Statutes and to Permit Savings Banks to Invest in Certain Electric Railroad Bonds.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 52, § 27, relating to investment of deposits of savings banks, amended.** Amend section twenty-seven, chapter fifty-two, sub-division third, paragraph f of the revised statutes by striking out all of said paragraph and in place thereof inserting the following:

**f, (1): May invest in bonds of electric railroads of state; conditions.** In the bonds of electric railroads constructed in this state prior to the twenty-seventh day of April, eighteen hundred and ninety-five, and in bonds of electric railroads in this state constructed after said date; provided, an amount of capital stock equal to thirty-three and one-third per cent. of the mortgage debt shall have been paid in, in cash, and expended upon the road evidenced by a certificate of the public utilities commission or of the bank commissioner of this state, filed in the office of the secretary of state, that said percentage has been paid in and expended upon the road in addition to the amount of the bonded debt; provided, further, that in lieu of the foregoing certificate such bonds may be certified as legal for the purpose hereof on satisfactory proof to the bank commissioner that annual dividends in amount equal to five per centum per annum on an amount of capital stock equal to one-third of the bonded debt has been earned and paid for a period of five years next prior thereto.

**f, (2): May invest in first mortgage bonds of completed electric roads in certain other states; conditions.** In the first mortgage bonds of any completed electric railroad which is located wholly or partly in the states of New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Ohio, Indiana, Kentucky, Michigan, Wisconsin, Minnesota, Iowa, Illinois, Missouri, Kansas, Nebraska, California, Colorado, Delaware, North Dakota, South Dakota, West Virginia, Idaho, Montana, Oregon, Oklahoma and Washington; provided, that all certificates hereinafter issued making such bonds legal

**CHAP. 148**

for investments by savings banks shall show that in addition to the provisions specified in the first clause of this paragraph the average net income of said corporation for a period of three years next prior to making such bonds legal shall have been not less than one and one-half times interest charges on the bonds outstanding secured by such mortgage and all prior liens, evidenced by a certificate of the bank commissioner of this state filed in the office of the secretary of state of this state; and the bank commissioner for making investigation upon any application filed under the provisions of this paragraph shall charge a reasonable fee for services and expenses attendant thereon, including the payment of experts, and in no case shall such fee be less than twenty-five dollars, the same to be paid by the railroad company seeking to make its bonds a legal investment under this paragraph, whether the same are admitted or not, and all sums so collected shall be added to the appropriation for the banking department, to be expended by the bank commissioner under the authority and with the approval of the governor and council. No bonds secured by an open mortgage shall be legal under this section unless the mortgage provides that the total amount of bonds certified and outstanding under it shall at no time exceed eighty per cent of the amount of cash expended upon the road. All certificates heretofore issued wherein any bonds were made legal investments for savings banks shall continue to be in full force and effect, the provisions of this paragraph notwithstanding.'

**Sec. 2. R. S., c. 52, § 27, par. g, amended.** Amend paragraph g of said chapter and section by striking out all of said paragraph and in place thereof inserting the following:

**'g: What certificates, making investment in consolidated or refunding bonds legal, must show.** In consolidated or refunding bonds, which are of an issue to retire the entire funded debt under the conditions as applied to first mortgage bonds in paragraphs b, c and f of this sub-division, and which are secured by a mortgage on the whole or any part of the system; provided, that all certificates hereinafter issued making such bonds legal for investments by savings banks shall show that in addition to the provisions specified in the first clause of paragraph f the average net income of said corporation for a period of three years next prior to making such bonds legal shall have been not less than two times interest charges on the bonds outstanding secured by such mortgage and all prior liens.'

Approved March 31, 1917.

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## Chapter 148.

**An Act to Amend Sections Eighteen to Twenty-three Inclusive, of Chapter Eighteen, and Section Fifty-three of Chapter One Hundred Seventeen, of the Revised Statutes, all Relating to the Board of Registration of Nurses.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 18, § 18, relating to the registration of nurses, amended.** Section eighteen of chapter eighteen of the revised statutes is here-

## CHAP. 148

by amended by striking out all of said section and inserting in place thereof the following:

**'Sec. 18. Board to consist of five registered, resident nurses. Term of office of present incumbents not affected. Vacancies, how filled. Room to be provided in state house.** The governor, with the advice and consent of the council shall appoint a board of registration of nurses, consisting of five nurses, all of whom shall be residents of the state and engaged in professional work. They shall have been graduated each from a different training school; shall have had at least five years' experience from date of graduation in professional nursing of the sick, and at least two years' experience from date of graduation in teaching nurses. They shall be registered under the provisions of sections twenty and twenty-one of this chapter and with the exception of those who registered under said section twenty-one shall have the same qualifications as are required for registration under section twenty. Nothing herein contained shall be construed as in any way affecting the term of office of any of the present members of the board. Upon the expiration of the term of office of any member of said board, the governor shall appoint a successor who shall hold office for three years. The said appointment shall be made from a list of six eligible candidates, selected at a meeting of the Maine State Nurses Association and submitted to the governor not less than thirty days before the time of appointment. Any vacancy occurring on said board shall be filled for the unexpired term by appointment to be made by the governor from like nominations to be furnished by the said association. If said nominations in either case are not submitted within thirty days after the vacancy occurs the governor may appoint to fill such vacancy such person, qualified as aforesaid, as to him seems best. Any member of said board may be removed from office for cause by the governor with the advice and consent of the council. On request of said board the superintendent of public buildings shall provide a suitable room in the state house for its meetings.'

**Sec. 2. R. S., c. 18, § 19, relating to organization of board, amended.** Section nineteen of said chapter eighteen is hereby amended by inserting after the first sentence in said section the words, 'It shall also elect one of its members as inspector of training schools for nurses.' Also by striking out the words, "special meetings shall be called upon request of any two members" in the seventh and eighth lines of said section and inserting in place thereof the words, 'special meetings shall be called by the secretary upon request of any two members,' so that said section as amended shall read as follows:

**'Sec. 19. Member of board to be elected inspector of training school for nurses. Special meetings to be called by secretary.** The board shall, at each annual meeting, elect from its number a president, and a secretary who shall also be treasurer. It shall elect one of its members as inspector of training schools for nurses. The board may adopt a seal and pin, which shall be placed in the care of the secretary, and may adopt such by-laws, rules and regulations for the transaction of the business of the

**CHAP. 148**

board and the government and management of its affairs, not inconsistent with the laws of this state and of the United States, as it may deem expedient. Three members of said board shall constitute a quorum; special meetings shall be called by the secretary upon request of any two members. The secretary shall keep a record of all meetings of the board, including a register of the names of all nurses duly registered under sections twenty and twenty-one, which shall be open to the public at all reasonable times; he shall furnish a certificate of registration to each of such nurses, which may be renewed at the expiration of five years, upon payment of one dollar to the secretary of the board; the applicant for renewal of a certificate shall be given at least three months' notice, by registered letter, of the expiration of said certificate, and shall submit an affidavit showing his or her identity. The board shall submit to the governor on or before the first day of January in each year, a general statement of the work of the board for the year preceding, including therein a statement of the number of applications received during the year, the number approved, and the number rejected.'

**Sec. 3. R. S., c. 18, § 20, relating to examinations for registration, amended.** Section twenty of said chapter eighteen is hereby amended by striking out the whole of said section and inserting in place thereof the following:

**'Sec. 20. Qualifications of applicants. Nature of examination. Certificate to be issued within three months. Schools for nurses to be inspected.** At each annual meeting and at such special meetings as said board may deem necessary to hold for that purpose, the board shall examine all applicants for registration, to determine their qualifications for the efficient nursing of the sick, and shall decide upon the qualifications of every such applicant and give notice of their decision within three months from the date of such examination. Notice of each meeting, whether annual or special, shall be given by publication at least one month previous to each meeting in such newspapers and nursing journals as the board may determine. Application for registration shall be made upon blanks furnished by the board and shall be signed and sworn to by applicant. Any person twenty-one years of age or over and of good moral character who shall show to the satisfaction of the board that he or she has had at least two years' high school education or its equivalent and has taken a full course of not less than two years in, and graduated and received a diploma from a training school for nurses connected with a public or private hospital in the state, presided over by a graduate nurse registered in accordance with this act and in which is given a general course of instruction of not less than two years in theory and practice of medical, surgical and obstetrical nursing in the wards, or in case of male nurses, of genito-urinary work instead of obstetrics, or has obtained such experience by not less than six months' affiliation or post graduate work, or is a resident of Maine, who has been graduated and holds a diploma from a training school for nurses in another state, having the same qualifications as herein described, shall be eligible for such examination upon the payment of a fee of five dollars, to be deposited upon the filing of the application for exam-

ination. The examination to be given such applicant shall be oral and written and of such a character as to determine the fitness of the applicant to practice professional nursing, and shall include the subjects of practical nursing, anatomy, physiology, bacteriology, materia medica, medical, surgical and obstetrical nursing, or in case of said nurses, genito-urinary, instead of obstetrical nursing, dietetics, pediatrics, hygiene and any other subjects deemed by the board necessary to maintain proper standards for the profession. Any applicant passing said examination to the satisfaction of the board, shall receive a certificate of registration within three months of said examination. The member acting as inspector of training schools shall inspect all schools for nurses in the state and shall report to the board such schools as shall provide courses of instruction both practical and theoretical in the subjects mentioned in this act, and such schools shall fulfil the qualifications herein described.'

**Sec. 4. R. S., c. 18, § 21, relating to registration without examination, amended.** Section twenty-one of said chapter eighteen is hereby amended by adding after the words, "registration without examination" in the tenth line thereof, the words, 'within one year of graduation,' so that said section as amended shall read as follow:

**'Sec. 21. Eligible within one year after graduation. Limit as to application.** Board may register persons holding certificate from another state. Any resident of the state twenty-one years of age or over, and of good moral character, applying for registration within two years from the third day of July in the year nineteen hundred and fifteen, who shall, by affidavit or otherwise, show to the satisfaction of the board that he or she is a graduate of a training school for nurses, which gives at least a two years' course in a public or private hospital, where a general course of instruction is given, or that he or she was, on said third day of July, a student in such a training school for nurses, and afterwards was graduated therefrom, shall be eligible for registration without examination, within one year of graduation, upon the payment of a fee of five dollars. The board may register in like manner without examination, upon payment of a fee of like amount, any person who has been registered as a professional nurse in another state under laws, which in the opinion of the board, maintain a standard substantially similar to that maintained in this state, and which extends a similar privilege to nurses registered in this state.'

**Sec. 5. R. S., c. 18, § 22, relating to cancellation of registration, amended.** Section twenty-two of said chapter eighteen is hereby amended by striking out the whole of said section and inserting in place thereof the following:

**'Sec. 22. Entitled to thirty days' notice of charges, and public hearing.** Said board, by a majority vote of all of its members, may cancel or suspend the registration of any person as a nurse who may be found guilty of neglect of duty or inefficiency, or of any act derogatory to the standing and morals of professional nursing, but before any certificate of registration shall be so revoked, the holder thereof shall be entitled to thirty days'

**CHAP. 148**

notice of the charges against him or her, and to a full and fair hearing thereon.'

**Sec. 6. R. S., c. 18, § 23, relating to penalty for practicing professional nursing without certificate, amended.** Section twenty-three of said chapter eighteen is hereby amended by inserting after the words, "fine of not more than one hundred dollars," in the ninth and tenth lines, the words, 'and shall have his or her certificate revoked,' so that said section as amended shall read as follows:

**'Sec. 23. Certificate may be revoked.** No person shall practice professional nursing in this state as a registered nurse without having a certificate of registration. A nurse who has received such certificate and pin shall be styled and known as a "Registered Nurse," and no other person shall assume such title, use the pin, the abbreviation "R. N." or any other words, letters or figures to indicate that the person using the same is a registered nurse. Whoever violates any provision of the five preceding sections, or wilfully makes a false representation to said board in applying for a certificate of registration, shall be punished by fine of not more than one hundred dollars, and shall have his or her certificate revoked; provided, that nothing in this section or in the five preceding sections shall apply to the acts of any person nursing the sick, who does not represent himself or herself to be a registered nurse. The board shall cause to be presented to the proper prosecuting officer evidence of any violation of this section or of the five preceding sections, and may incur any necessary expenses in the performance of this duty, which expenses shall be paid out of the receipts of said board.'

**Sec. 7. R. S., c. 117, § 53, relating to salaries of members of board of registration of nurses, amended.** Section fifty-three of chapter one hundred seventeen of the revised statutes is hereby amended by adding at the end thereof the words, 'The inspector of training schools for nurses shall also receive four dollars a day while actually engaged in his or her duties as such,' so that said section as amended shall read as follows:

**'Sec. 53. Salary of inspector of training schools.** The members of the board of registration of nurses shall receive their actual necessary expenses incurred in the discharge of their official duties, and the secretary shall receive a salary to be fixed by the board, not exceeding two hundred and fifty dollars a year. The other members of the board shall each receive four dollars a day while actually engaged in attendance upon meetings of said board. The inspector of training schools for nurses shall also receive four dollars a day while actually engaged in his or her duties as such.'

Approved March 31, 1917.

## Chapter 149.

An Act to Define Certain Terms Used in Section Fifty-eight of Chapter Sixty-four, of the Revised Statutes, in Relation to Licensing Children's Homes and Maternity Hospitals.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Term "boarding house for children" as used in R. S., c. 64, § 58, defined.** The term "boarding house for children" as used in section fifty-eight of chapter sixty-four of the revised statutes, shall be held to mean a house or other place conducted or maintained by any one who advertises himself or holds himself out as conducting a boarding place for children under sixteen years of age, or who receives illegitimate children under sixteen years of age, or who has in his custody or control three or more children under sixteen years of age unattended by parents or guardians, for the purpose of providing such children with food or lodging, excepting children related to him by blood or marriage or who have been legally adopted by him.

**Sec. 2. Term "home for children" as used in R. S., c. 64, § 58, defined.** The term "home for children" as used in said section fifty-eight, shall be held to mean any children's home, orphanage, or other institution, association, organization or individual engaged in receiving, caring for and finding homes for orphaned, dependent and neglected children.

**Sec. 3. Homes for children; who shall be deemed to be conducting such business.** Whoever advertises himself or holds himself out as placing or finding homes for, or otherwise disposing of children under sixteen years of age, or whoever within a period of six months, actually places or assists in placing in homes of persons other than relatives or causes or assists in causing the adoption or disposal otherwise of more than two children under sixteen years of age, shall be deemed as engaged or assisting in conducting a business of placing out or finding homes for children within the meaning of said section fifty-eight.

**Sec. 4. Term "maternity hospital" as used in R. S., c. 64, § 58, defined.** The term "maternity hospital" as used in said section fifty-eight shall be held to mean a house or other place maintained or conducted by any one who advertises himself or holds himself out as having or conducting a maternity hospital or boarding house as herein defined; or a house or any other place in which any person receives, cares for or treats, within a period of six months, more than one woman during pregnancy, or during or after delivery, except women related to him by blood or marriage: Provided, however, that nothing herein shall be construed to prevent a nurse from practicing her profession in the home of the patient, or in any hospital which is otherwise under the supervision of the state board of charities and corrections other than a maternity hospital or boarding house for children.

Approved March 31, 1917.

## Chapter 150.

An Act to Amend Section One of Chapter Thirty-four of the Revised Statutes, Providing for the Appointment of a Deputy Commissioner of Agriculture.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 34, § 1, relating to state department of agriculture, amended. Section one of chapter thirty-four of the revised statutes is hereby amended by adding the following words:

'The commissioner of agriculture may, with the approval of the governor and council, appoint a deputy commissioner of agriculture, who shall be the chief of one of the department bureaus in the department of agriculture and shall perform the duties of the commissioner of agriculture during his absence, in addition to his duties as chief of a department bureau. The deputy commissioner shall hold office during the term of office of the commissioner or until his successor is appointed, and his compensation and expenses shall be paid from any funds appropriated for the use of the department bureau of which he is chief,' so that said section as amended shall read as follows:

'Sec. 1. Commissioner may appoint a deputy; term and salary. A state department of agriculture shall be maintained for the improvement of agriculture and the advancement of the interests of husbandry. A commissioner of agriculture shall be elected biennially by the legislature by joint ballot of the senators and representatives in convention and shall hold his office for the term of two years and until his successor is elected and qualified. He shall give bond in the sum of ten thousand dollars to the state, with sufficient sureties, or with a surety company authorized to do business in the state, as surety, to be approved by the treasurer of state, conditioned to faithfully account for all moneys received and disbursed by him as said commissioner. The commissioner of agriculture may, with the approval of the governor and council, appoint a deputy commissioner of agriculture, who shall be the chief of one of the department bureaus in the department of agriculture and shall perform the duties of the commissioner of agriculture during his absence, in addition to his duties as chief of a department bureau. The deputy commissioner shall hold office during the term of office of the commissioner or until his successor is appointed, and his compensation and expenses shall be paid from any funds appropriated for the use of the department bureau of which he is chief.'

Approved March 31, 1917.

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## Chapter 151.

An Act to Enable the Chief Engineer of the State Highway Commission to Convey a Certain Lot or Parcel of Land Owned by the State of Maine to the European & North American Railroad.

*Be it enacted by the People of the State of Maine, as follows:*

Authorizing conveyance of certain real estate by state to European & North American Railroad. Whereas the state highway commission has



entered into an agreement which necessitates the conveying of a certain lot or parcel of land owned by the State of Maine to the European & North American Railroad, therefore,

Be it enacted that the chief engineer of the state highway commission is hereby empowered and authorized in the name of the State of Maine to convey to the European & North American Railroad a certain lot or parcel of land situated on Treat & Webster island in Old Town, county of Penobscot and State of Maine, being the same premises conveyed to the State of Maine by Charles L. Perkins and Fannie M. Perkins, his wife, on the ninth day of July, nineteen hundred and fourteen, and recorded in the registry of deeds, county of Penobscot, volume eight hundred seventy-three, page one hundred ninety-one, to which deed and record reference is hereby made for a more particular description of the premises which the chief engineer of the state highway commission is hereby authorized to convey to the European & North American Railroad.

Approved April 2, 1917.

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## Chapter 152.

An Act to Amend Section Thirty-eight of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Salary of the Judge of Probate of York County.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 117, § 32, relating to compensation of judges of probate, amended.** Section thirty-eight, chapter one hundred seventeen of the revised statutes is amended by striking out, after the word York, in the twentieth line thereof, the words "thirteen hundred" and inserting in the place thereof, the words 'one thousand six hundred,' so that the same as amended shall read:

**'Sec. 38. Salary increased in York county.** Judges of probate in the several counties shall receive annual salaries from the treasurers of the counties in quarterly payments on the first days of January, April, July and October as follows: Androscoggin, one thousand dollars; Aroostook, twelve hundred dollars; Cumberland, three thousand dollars; Franklin, six hundred dollars; Hancock, eleven hundred dollars; Kennebec, seventeen hundred dollars; Knox, seven hundred dollars; Lincoln, five hundred dollars; Oxford, one thousand dollars; Penobscot, eighteen hundred dollars; Piscataquis, six hundred dollars; Sagadahoc, eight hundred dollars; Somerset, eight hundred dollars; Waldo, seven hundred dollars; Washington, eight hundred dollars; York, one thousand six hundred dollars; and the fees to which they are entitled by law, except the fee provided in section forty-nine of chapter one hundred and forty-five, shall be taxed and collected and paid over by the registers of probate to the county treasurers for the use of their counties.'

Approved April 3, 1917.

## Chapter 153.

An Act to Amend the Second Paragraph of Section Forty-five, of Chapter One Hundred Seventeen of the Revised Statutes Increasing the Amount of Clerk Hire in the Androscoggin County Registry of Deeds.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 117, § 45, relating to clerk hire in county offices, amended. That the second paragraph of section forty-five of chapter one hundred seventeen of the revised statutes be hereby amended by striking out the words "five hundred twenty" after the word "deeds" and inserting in place thereof the words 'ten hundred and forty', so that said second paragraph of said section as amended shall read as follows:

'Clerk hire in Androscoggin registry of deeds, increased. In Androscoggin county; for clerks in the office of register of deeds, ten hundred and forty dollars; for clerks in the office of register of probate, five hundred twenty dollars; for clerks in the office of clerk of courts, six hundred dollars.'

Approved April 3, 1917.

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## Chapter 154.

An Act to Provide State Aid for the Construction of Highways Extending Continuously through Three or More Towns.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Continuous highway extending through three or more towns; state to assist in construction.** Three or more towns through which extends a continuous highway not less than fifteen miles in length may, not later than April first in any one year, vote to appropriate for the construction of such highway as a state aid highway, sums determined according to the provisions of section eighteen of chapter twenty-five of the revised statutes, or any multiples thereof, up to five times such sums.

**Sec. 2. Amount of assistance by state determined by appropriations by town; how reckoned.** When three or more such towns through which extends continuously at least fifteen miles of such highway shall have so appropriated, the state highway commission shall, from the fund for the construction of state aid highways, set apart for the construction of such highway, an aggregate sum the component parts whereof shall be determined as follows:

In the case of a town having appropriated an amount determined according to the provisions of said section eighteen, there shall be set apart from the fund for the construction of state aid highways the same amount as, under the provisions of section twenty of said chapter twenty-five, would be apportioned to such town; in the case of a town having increased its appropriation over the amount determined according to the provisions of said section eighteen to any multiple thereof, there shall be set apart a sum repre-

## CHAP. 154

senting a like increase, together with an additional sum, equal to twenty-five per cent of such increase in the case of a town appropriating twice the amount determined by said section eighteen; fifty per cent of such increase in the case of a town appropriating three times the amount determined by said section eighteen; seventy-five per cent of such increase in the case of a town appropriating four times the amount determined by said section eighteen; and one hundred per cent of such increase in the case of a town appropriating five times the amount determined by said section eighteen.

**Sec. 3. Joint fund created; shall be expended under supervision of state. Towns to make payment to state treasurer.** The aggregate sum so set apart, together with the sums appropriated by such towns, shall constitute a joint fund for the construction of such state aid highway and shall be expended under the direction and supervision of the state highway commission; provided that all money appropriated by any such town shall be expended upon that portion of such highway lying within the limits thereof, and that, of the money set apart by the state highway commission, as hereinbefore provided, so much thereof as is set apart in consequence of the appropriation made by any such town and is required for the completion of that portion of the highway lying within such town shall be expended therein. Payments by the towns of the sums by them appropriated under the provisions of this act, in whole or in part, shall be made forthwith to the treasurer of state on requisition by the commission as the work progresses.

**Sec. 4. Form of article to be inserted in town warrant.** Towns making appropriations under the provisions of this act shall do so by acting upon an article, in the warrant for the meeting at which such appropriation is made, of substantially the following tenor:

Article——, To see what sum, if any, the town will vote to raise in accordance with the provisions of chapter (here insert number of this chapter) of the public laws of nineteen hundred and seventeen for the construction of a state highway extending from (here insert description of highway sufficient to make certain its location) and the description set out in such article shall be the same in substance for all such towns; cities making such appropriations shall incorporate into the act or order therefor a similar description of the contemplated highway.

**Sec. 5. Towns to receive no additional state highway aid during same year.** Towns availing themselves of the provisions of this act, shall in the same year, receive no other money under the provisions of sections twenty or twenty-one of said chapter twenty-five.

Approved April 3, 1917.

## Chapter 155.

An Act to Amend Sections One, Two and Four of Chapter Twenty-three of the Revised Statutes, Relating to Nuisances.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 23, § 1, relating to jurisdiction in abatement of common nuisances, amended.** Section one of chapter twenty-three of the revised statutes is hereby amended by striking out all thereof after the words "county attorney" in the seventh line, and substituting in place therefor the following: 'or upon petition of not less than seven legal voters of his county, setting forth any of the facts contained herein, to restrain, enjoin or abate the same, and an injunction for such purpose may be issued by said court or any justice thereof. Such injunction shall be recorded within thirty days in the registry of deeds in the county where said nuisance is located and shall forever run against the building or other place or structure in which said nuisance is committed. No dismissal of such information or complaint shall prevent action upon any information or complaint subsequently filed covering the same subject matter,' so that said section as amended shall read as follows:

'Sec. 1. Seven legal voters may petition supreme judicial court. Injunction may be issued to run forever against place where nuisance is alleged. Dismissal not to affect action on subsequent complaint. All places used as houses of ill-fame, or for the illegal sale or keeping of intoxicating liquors, or resorted to for lewdness or gambling; all houses, shops or places where intoxicating liquors are sold for tippling purposes, and all places of resort where intoxicating liquors are kept, sold, given away, drank or dispensed in any manner not provided for by law, are common nuisances. The supreme judicial court shall have jurisdiction in equity, upon information filed by the county attorney or upon petition of not less than seven legal voters of his county, setting forth any of the facts contained herein, to restrain, enjoin or abate the same, and an injunction for such purpose may be issued by said court or any justice thereof. Such injunction shall be recorded within thirty days in the registry of deeds in the county where said nuisance is located and shall forever run against the building or other place or structure in which said nuisance is committed. No dismissal of such information or complaint shall prevent action upon any information or complaint subsequently filed covering the same subject matter.'

**Sec. 2. R. S., c. 23, § 2, relating to punishment, amended.** Section two of said chapter twenty-three is hereby amended by striking out the whole of said section and substituting therefor the following:

'Sec. 2. Penalty for violation increased. Whoever keeps or maintains such nuisance shall be fined not less than two hundred nor more than one thousand dollars and in addition thereto be imprisoned not less than sixty days nor more than one year, and in default of payment of said fine shall be imprisoned for an additional term of not less than sixty days and not more than one year.'

## CHAP. 156

**Sec. 3. R. S., c. 23, § 4, relating to liability of owner, amended.** Section four of said chapter twenty-three is hereby amended by striking out all of said section after the words "to be so used" in the fourth line thereof and substituting therefor the following: 'or who, after being notified in writing of such illegal use by an officer or citizen of the county in which the building or tenement is located, omits to take all proper measures either to abate said nuisance or, failing therein, to eject therefrom the person or persons maintaining such nuisance is guilty of aiding in the maintenance of a nuisance and shall be fined not less than two hundred nor more than one thousand dollars and in addition thereto be imprisoned not less than sixty days nor more than one year, and in default of payment of said fine shall be imprisoned for an additional term of not less than sixty days nor more than one year', so that said section as amended shall read as follows:

**'Sec. 4. Responsibility of owner more clearly defined; liability increased.** Whoever knowingly lets any building or tenement owned by him, or under his control, for any purpose named in section one, or knowingly permits the same or part thereof to be so used, or who, after being notified in writing of such illegal use by an officer or citizen of the county in which the building or tenement is located, omits to take all proper measures either to abate said nuisance or, failing therein, to eject therefrom the person or persons maintaining such nuisance is guilty of aiding in the maintenance of a nuisance and shall be fined not less than two hundred nor more than one thousand dollars and in addition thereto be imprisoned not less than sixty days nor more than one year, and in default of payment of said fine shall be imprisoned for an additional term of not less than sixty days nor more than one year.'

Approved April 2, 1917.

## Chapter 156.

**An Act to Repeal Section Forty-two of Chapter One Hundred Twenty-seven and to Amend Section Twenty-seven of Chapter One Hundred Thirty-six and Section One of Chapter One Hundred Thirty-seven of the Revised Statutes, Relating to Imposing Sentences.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 127, § 42, relating to county attorney causing speedy sentence.** Section forty-two of chapter one hundred twenty-seven of the revised statutes is hereby repealed.

**Sec 2. R. S., c. 137, § 1, relating to punishment for offenses, amended.** Section one of chapter one hundred thirty-seven of the revised statutes is hereby amended by striking out the third sentence of said section, so that said section as amended shall read as follows:

**'Sec. 1. Provisions as to punishment by imprisonment and fine, imprisonment or fine, etc., eliminated.** No person shall be punished for an offense until convicted thereof in a court having jurisdiction of the person and case. When no punishment is provided by statute, a person convicted of an offense shall be imprisoned for less than one year or fined not exceed-

## CHAP. 156

ing five hundred dollars. In all cases where a fine is imposed he may be sentenced to pay the costs of prosecution; and for violations of sections six to thirteen of chapter forty-two, and of sections twenty-two, twenty-three, twenty-four, twenty-nine and thirty-four of chapter one hundred and twenty-seven, he shall be sentenced to pay such costs.'

**Sec. 3. R. S., c. 136, § 27, relating to sentence after conviction, amended.** Section twenty-seven of chapter one hundred thirty-six of the revised statutes is hereby amended by adding after the word "life" in the third line thereof, the words, 'provided that the court at the term of conviction may in its discretion continue the matter for sentence, suspend sentence or stay the execution of sentence', so that said section as amended shall read as follows:

**'Sec. 27. For offense not punishable by life imprisonment, court may continue for sentence, suspend sentence, or stay execution.** Sentence shall be imposed upon conviction, either by verdict or upon demurrer, of a crime which is not punishable by imprisonment for life, provided that the court at the term of conviction may in its discretion continue the matter for sentence, suspend sentence or stay the execution of sentence, although exceptions are alleged. Questions of law may be reserved on a report signed by the presiding justice, and in such case, and where exceptions are allowed, the defendant may, when the offense charged is bailable, recognize with sureties, in such sum as the court orders, with conditions substantially as follows: "The condition of this recognizance is such that, whereas there is now pending in the                      court, within and for the county of                      , an indictment against the said                      for the offense of                      , in the course of the proceedings upon which, questions of law requiring the decision of the justices of the supreme judicial court have arisen; now if said                      shall personally appear before said                      court, to be held in and for said county, from term to term, until and including the term of said court next after the certificate of decision shall be received from said justices, and shall abide the decision and order of said court, and not depart without license, then this recognizance shall be void." If he does not so recognize, the court, on request of the defendant upon whom sentence is imposed may allow stay of execution of sentence, in which case commitment shall be to await final decision; otherwise, such commitment shall be in execution of sentence. When a verdict of guilty is rendered against any person for an offense punishable by imprisonment in the state prison, or any person is committed pending decision on report or exceptions, as herein provided, and remains imprisoned after the adjournment of court, he shall be admitted to bail only by the justice trying him, by some person by him appointed therefor, or by some justice of the supreme judicial court. If a person shall be so admitted to bail after commitment in execution of sentence, as above provided, such admission to bail shall vacate the effect of the original commitment, and the full term of imprisonment shall commence from the date of commitment after final decision.'

Approved April 3, 1917.

## Chapter 157.

An Act to Amend Sections Seventy and Seventy-one of Chapter Fifty-seven of the Revised Statutes, Relating to Disorderly Conduct on Railroad, Steamboat or Ferry Property, and Authorizing Employees to Arrest such Offenders.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 57, § 70 and § 71, relating to penalty for disorderly conduct on public conveyance, and authority of officer in charge, repealed.** Sections seventy and seventy-one of chapter fifty-seven of the revised statutes are hereby repealed and the following enacted in place thereof:

**'Sec. 70. Penalty for entering upon or loitering about property of railroads, steamboats and ferries.** Any person in a state of intoxication and not in the custody of an officer who enters or remains in or on or loiters about the rolling stock, stations, station grounds, waiting rooms, platforms or yards of any steam or street railroad or the right of way, bridges or tracks of any steam railroad or the boats, wharves, or ships of any steamboat or ferry company, and any person who behaves in a disorderly or riotous manner or drinks intoxicating liquors or uses indecent or profane language in any such place, car or boat, is guilty of a breach of the peace and shall be fined not less than five nor more than five hundred dollars or imprisoned in jail not less than thirty days nor more than one year, in addition to any other penalty provided by law.'

**'Sec. 71. Persons in charge may arrest violators of provisions of preceding section. Duty imposed upon sheriffs and police officers.** Any person or persons in charge of the property mentioned in the preceding section and any person or persons thereunto authorized or called upon by such person or persons in charge of said property may refuse to permit any person in a state of intoxication and not in the custody of an officer to enter said premises or property and may eject in a reasonable manner and at reasonable places any person found violating the preceding section and may arrest and temporarily hold any person found violating the provisions of the preceding section until a warrant can be obtained or he can be placed in the custody of the proper officers of the law. It shall be the duty of every sheriff, deputy sheriff, constable, city or deputy marshal or police officer to arrest, and detain until a legal warrant can be obtained, any person found violating the provisions of the preceding section.'

Approved April 3, 1917.

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## Chapter 158.

An Act to Amend Section Ten of Chapter One Hundred Two of the Revised Statutes, Relating to the Discharge from Imprisonment in Bastardy Cases.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 102, § 10, relating to discharge from jail of father of bastard child, amended.** Section ten of chapter one hundred two of the revised statutes is hereby amended by striking out the words "ninety days" in the

**CHAP. 159**

second line thereof and substituting therefor the words 'six months', so that said section as amended shall read as follows:

**'Sec. 10. Must remain in jail six months before being liberated by taking poor debtor's oath.** When the father of such bastard child has remained for six months in jail, without being able to comply with the order of the court, he may be liberated by taking the poor debtor's oath, as persons committed on execution; but he shall give fifteen days' notice of his intention to do so, to the mother, if living, and to the clerk of the town where the child has its legal settlement, if in the state. The mother and said town may, after such liberation, recover of him by action of debt any sum of money, which ought to have been paid pursuant to the order of the court.'

Approved April 3, 1917.

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## Chapter 159.

An Act Prohibiting the Sale of Diseased or Disabled Horses.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Sale of diseased horses illegal.** It shall be unlawful for any person holding an auctioneer's license to receive or offer for sale or to sell at public auction, or for any person to sell at private sale, any horse which by reason of debility, disease or lameness or for other cause, could not be worked in this state without violating the laws against cruelty to animals, but this section shall not be construed to prohibit the sale to, and the purchase of animals by, humane societies incorporated under the laws of this state for the purpose of humanely killing the same.

**Sec. 2. Penalty for violation.** Any licensed auctioneer violating any provision of this act shall forfeit his license, and any person violating any provision of this act shall be punished by a fine of not less than five nor more than one hundred dollars, or by imprisonment for not more than six months.

Approved April 3, 1917.

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## Chapter 160.

An Act to Amend Chapter Thirty-five of the Revised Statutes, Relating to the Live Stock Sanitary Commissioner.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 35, § 1, relating to office of live stock sanitary commissioner, amended.** Section one of chapter thirty-five of the revised statutes is hereby amended by striking out that part of the section beginning at and including the word "and" in the twelfth line so that said section as amended shall read as follows:



## CHAP. 160

**'Sec. 1. Department not to be under direction of commissioner of agriculture.** For the purpose of facilitating and encouraging the live stock interests of the state, and for extirpating all insidious, infectious and contagious diseases among cattle, horses, sheep and swine, and especially tuberculosis, the governor shall appoint one person of known ability, who shall be charged with the execution of the provisions of this chapter and shall be known and designated as the live stock sanitary commissioner. Before entering upon the duties of the office, he shall give bond to the state in such sum as the governor and council may designate, with sureties, or with a surety company authorized to do business in the state, as surety, to be approved by them, for the faithful performance of all duties of his office. He shall hold office for the term of four years unless sooner removed by the governor.'

**Sec. 2. R. S., c. 35, § 13, relating to investigation of tuberculosis.** Section thirteen of said chapter is hereby amended by striking out all of the section beginning at the word "any" in the sixth line so that said section as amended shall read as follows:

**'Sec. 13. Commissioner to have full supervision.** The live stock sanitary commissioner shall make all needful rules and regulations as to the manner in which application shall be made to him for the investigation of tuberculosis in the herds of the state; provided, however, that he employ regular skilled veterinarians and shall regulate the way and manner in which the test shall be applied and the state shall not be made responsible for any private test made.'

**Sec. 3. R. S., c. 35, § 20, relating to suspension of duties of commissioner, amended.** Section twenty of said chapter is hereby amended by striking out the words "commissioner of agriculture" in the thirteenth line and inserting the words 'governor and council' in place thereof, also in the fourteenth and fifteenth lines striking out the words "commssioner of agriculture" and inserting the words 'governor and council', in place thereof so that said section as amended shall read as follows:

**'Sec. 20. Books, records, etc., to be turned over to governor and council.** The live stock sanitary commissioner shall make and preserve a full record of all rules and regulations promulgated under the provisions of this chapter, and all payments and expenses incurred hereunder, and all other transactions performed by him, in the discharge of his duties as herein provided; and he shall on or before the first Wednesday in January of each year, and at other times as he may deem conducive to the public interest, or whenever required by the governor, report to the governor full and accurate accounts of his expenditures and other proceedings under the provisions hereof, and of the condition of any infectious or contagious disease among animals in the state; said report shall be communicated by the governor to the legislature. Whenever the functions of said live stock sanitary commissioner shall be suspended or terminated, he shall turn over to the governor and council all his books, papers, records, and other effects, taking his receipt therefor; and the governor and council shall remain the custodian of the same until such time as the functions of said live stock sanitary commissioner may be restored.'

## Chapter 161.

An Act to Amend Paragraph One of Section Four of Chapter Seventy-two of the Revised Statutes, Relating to the Appointment of Guardians.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 72, § 4, par. 1, relating to the appointment of guardians for adults, amended. Paragraph one of section four of chapter seventy-two of the revised statutes is hereby amended by adding before the word "persons" in the first line the word 'all' and after the word "persons" the words 'including those', and by striking out the word "including" in said first line and substituting therefor the word 'and', so that said paragraph as amended shall read as follows:

**'I. Provisions made to include all persons.** All persons, including those insane or of unsound mind, and married women, who by reason of infirmity or mental incapacity, are incompetent to manage their own estates, or to protect their rights.'

Approved April 3, 1917.

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## Chapter 162.

An Act in Addition to Sections Forty-four, Forty-five, Forty-six and Forty-seven of Chapter Eighty-six of the Revised Statutes, Relating to Attachment of Property Mortgaged or Pledged.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Mortgagee may be summoned to give information.** Personal property, which is subject to a mortgage and is in the possession of the mortgagor may be attached as if unencumbered; and the mortgagee or his assigns may be summoned in the same action in which the property is attached as the trustee of the mortgagor or his assigns to answer such questions as may be put to him or them by the court or by its order relative to the consideration of the mortgage and the amount due thereon.

**Sec. 2. Validity of mortgage established; proceedings.** If upon such examination, or upon the verdict of a jury as hereinafter provided, it appears that the mortgage is valid, the court, having first ascertained the amount justly due upon it, may direct the attaching creditor to pay the same to the mortgagee or his assigns within such time as it orders; and if he does not pay or tender the amount within the time prescribed, the attachment shall be void and the property shall be restored.

**Sec. 3. Validity of mortgage may be tried before jury; costs.** If the attaching creditor denies the validity of the mortgage and moves that the validity may be tried by a jury, the court shall order such trial upon an issue which shall be framed under its direction and if, upon such examination or verdict, the mortgage is adjudged valid, the mortgagee or his assigns shall recover his costs.

## CHAP. 163

**Sec. 4. Balance after satisfying mortgagee to be applied to debt of attaching creditor.** When the creditor has paid to the mortgagee or his assigns the amount ordered by the court, he may retain out of the proceeds of the property attached, when sold, the amount so paid with interest, and the balance shall be applied to the payment of his debt.

**Sec. 5. When attaching creditor does not recover judgment.** If the attaching creditor, after having paid the amount ordered by the court, does not recover judgment, he may nevertheless hold the property until the debtor has repaid with interest the amount so paid.

Approved April 3, 1917.

## Chapter 163.

An Act to Amend Section One of Chapter Eleven of the Revised Statutes, Relating to the Collection of Taxes and the Commitment of Poll Taxes in Incorporated Places.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 11, § 1, relating to towns fixing date when taxes shall be payable.** Section one of chapter eleven of the revised statutes is hereby amended by inserting in the fourth line of said section, between the word "that" and the word "the" the following words: 'any town or city may provide at its annual meeting that', so that said section as amended, shall read as follows:

**'Sec. 1. May designate first day of May at annual town meeting, for payment of poll taxes.** Towns, at their annual meetings, may determine when the lists named in section eighty-five of chapter ten shall be committed, and when their taxes shall be payable, and that interest shall be collected thereafter; provided, however, that any town or city may provide at its annual meeting that the poll taxes shall be due and payable on the first day of May and the commitment of the lists of poll tax payers shall be made to the collector prior to that date.'

Approved April 3, 1917.

## Chapter 164.

An Act to Correct Typographical Errors in Section One Hundred and Sixteen of Chapter Seven of the Revised Statutes, Relating to Illegal Voting.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 7, § 116, relating to punishment of misconduct at elections.** Section one hundred and sixteen of chapter seven of the revised statutes is hereby amended so as to read as follows:

**'Sec. 116. Penalty. (Correcting typographical error).** At any meeting for the election of any officer, where a list of voters is necessary, whoever wilfully votes before the presiding officer has had opportunity to find his

**CHAP. 165**

name on said list, or knowing that it is not on it, or wilfully gives any false answer or statement to the municipal officers of towns, cities or plantations when they shall be previously preparing such list, or presiding at such meeting, in order that his name or the name of any other person may be entered on such list, or his vote or that of another be received; or casts more than one vote at one balloting, or is disorderly at such meeting, forfeits for each offense, not exceeding one hundred, nor less than ten dollars.'

Approved April 3, 1917.

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## Chapter 165.

An Act to Amend Section Seventy-six of Chapter Four, of the Revised Statutes, Relating to any Town Raising Money to Secure Free Use of Library in Adjoining Town.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 4, § 76, relating to towns raising money to secure free use of library in another town, amended. Section seventy-six of chapter four of the revised statutes, is hereby amended by striking out the words "equal to" in the fifth line and inserting in place thereof, the words 'not less than seven per cent nor more than', and inserting after the word "yearly" in the sixth line the words 'provided that no town shall receive annually more than five hundred dollars', so that the section as amended shall read as follows:

'Sec. 76. Amount to be paid by state limited to \$500 annually. Any town may raise and appropriate annually a sum of money, not exceeding the legal limit established for maintaining free libraries, for the purpose of securing to its inhabitants the free use of a library located in an adjoining town, and shall be entitled to receive from the treasurer of state a sum not less than seven per cent nor more than ten per cent of the amount so raised, appropriated and expended yearly, provided that no town shall receive annually more than five hundred dollars, to be paid on the certificate of its municipal officers returned as provided in section seventy-eight.'

Approved April 3, 1917.

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## Chapter 166.

An Act to Amend Section Three Chapter Twenty-one of the Revised Statutes, Relating to the Care of Ancient Burying Grounds.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 21, § 3, relating to fencing ancient public burying grounds, amended. Section three of chapter twenty-one of the revised statutes is hereby amended by striking out the whole of said section and inserting in lieu thereof the following:

'Sec. 3. Revolutionary soldiers' and sailors' graves to be cared for. Penalty for violation to be recovered by Daughters of American Revolution.

## CHAP. 167

Each town, parish, religious society, and any individual, association or corporation, to which any ancient or public burying ground belongs, shall keep a substantial fence around it in good repair; and in any such burying ground in which any Revolutionary soldier or sailor is buried, the town in which said burying ground is located, shall keep in good condition and repair, all graves, headstones, monuments or markers designating the burial place of said Revolutionary soldiers or sailors, and shall keep the grass suitably cut and trimmed on such graves during the summer season. Towns may raise and appropriate money for such purposes. Each said town, parish, religious society, individual, association or corporation shall be liable to a penalty of not exceeding twenty-five dollars for neglect to maintain such fence in good repair, and each said town shall be liable to a penalty of not exceeding ten dollars for neglect to keep in good condition and repair all such graves, headstones, monuments and markers, or failing to keep the grass suitably cut and trimmed as aforesaid, on said graves. The penalties above provided for shall be recovered in an action of debt brought in the name and for the use of any chapter of the Daughters of the American Revolution against such negligent town, parish, religious society, individual, association or corporation.'

Approved April 8, 1917.

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## Chapter 167.

An Act Providing for Monthly Payment of Salaries of County Officials.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Salaries of certain county officers to be paid monthly.** The salaries of judges of probate, registers of probate, clerks of judicial courts, sheriffs, county commissioners, registers of deeds and county treasurers of the several counties, shall be paid in equal monthly payments on the last day of each month.

**Sec. 2. Inconsistent statutes repealed.** All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 8, 1917.

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## Chapter 168.

An Act to Amend Section Four of Chapter Seventy-six of the Revised Statutes, Relating to Notices upon Petitions for Sale of Real Estate.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 76, § 4, relating to sale of real estate by license of court, amended.** Section four of chapter seventy-six of the revised statutes is hereby amended by inserting after the word "cause" in the fifth line of said section, the following words: 'but such notice, when public, may be published in a consolidated form, and shall contain the name of the estate

**CHAP. 169**

or the title of the case, the name of the petitioner and the name of the city, town, or plantation where such real estate is situated; but such notice need contain no other description of the real estate,' so that said section as amended shall read as follows:

**'Sec. 4. Nature of public notice of intention of sale.** No license shall be granted for the sale of any such real estate, of the value of more than fifty dollars, unless by written consent of all persons interested therein, until after public or personal notice of the time and place of hearing, to all such persons, to appear and object if they see cause; but such notice, when public, may be published in a consolidated form, and shall contain the name of the estate or the title of the case, the names of the petitioner and the name of the city, town, or plantation where such real estate is situated; but such notice need contain no other description of the real estate. If any party interested resides without the state, or the real estate is situated in a county other than the county in which the proceedings are pending, such special notice may be given as the court directs.'

Approved April 3, 1917.

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## Chapter 169.

**An Act to Provide for Discharge of Record Attachments of Real Estate which have Lapsed.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Real estate attachment, relating to record of discharge of.** When an attachment of real estate is made in any action and the writ is not entered in court, or when any attachment of real estate is dissolved by lapse of time or failure to levy upon the judgment debt within the time prescribed by law to preserve said attachment, and the said attachment then remains undischarged upon the records of the registry of deeds, the plaintiff upon the demand of the defendant shall either cause the said attachment to be discharged upon the records of the registry of deeds, or give a certificate, signed, sealed and acknowledged by him that said attachment is discharged when said certificate is prepared and presented to the plaintiff by the defendant, which said certificate the register of deeds shall record with reference thereto on the margin of the record of said attachment.

**Sec. 2. Proceeding when plaintiff fails or refuses to discharge attachment.** If the plaintiff shall upon demand unreasonably delay or refuse to discharge the said attachment as prescribed in section one of this act, then a bill in equity against the said plaintiff may be filed by the defendant in the supreme judicial court, in the county in which the attachment of said real estate has been made; upon said bill, such notice shall be given as may be ordered by any justice of the said court, in term time or in vacation, and upon proof thereof, such proceedings may be had according to the usual course of suits in equity, and said attachment shall be discharged

## CHAP. 170

by a decree of court duly filed in the registry of deeds which the register of deeds shall record with reference thereto on the margin of the record of said attachment.

Approved April 3, 1917

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## Chapter 170.

An Act to Amend Section Five of Chapter One Hundred Seventeen of the Revised Statutes, Relating to the Expenses of the Justices of the Supreme Judicial Court.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 5, relating to expenses of justices of supreme judicial court, amended.** Section five of chapter one hundred seventeen, revised statutes is hereby amended by adding to said section the following words: 'The counties wherein such justices reside, have their offices, or are holding court, shall also receive from the state the expenses necessarily incurred by such justices for postage, stationery, express and telephone tolls,' so that said section as amended shall read as follows:

**'Sec. 5. Counties where justice resides to be reimbursed by state for payment of certain office expenses.** The justices of the supreme judicial court shall each receive an annual salary of five thousand dollars. Each justice shall be reimbursed by the state for his expenses actually and reasonably incurred in attending meetings appointed by the chief justice under the provisions of section forty-three, of chapter eighty-two, and the sessions of the law court, upon presentation to the state auditor of a detailed statement of such expenses. When any justice of said court holds nisi prius terms of said court in any county other than the county in which he resides, or when any hearing of a cause in law or in equity is had in vacation before a justice of said court other than one residing in the county where said hearing is held, such justice shall be reimbursed by the state for his expenses actually and reasonably incurred in holding such terms, or in attending said hearing, upon presentation to the state auditor of a detailed statement of such expenses. The counties wherein such justices reside, have their offices, or are holding court, shall also receive from the state the expenses necessarily incurred by such justices for postage, stationery, express and telephone tolls.'

Approved April 3, 1917.

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## Chapter 171.

An Act to Amend Section Thirty-six of Chapter Twenty-six of the Revised Statutes, Fixing a Fee for Registering Motor Cars in Neutral Automobile Zones.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 26, § 36, relating to neutral zones for the registration of motor vehicles, amended.** Section thirty-six of chapter twenty-six of the revised statutes is hereby amended by striking out the words "without charge"

**CHAP. 172**

in the tenth line of said section, and inserting in place thereof the following words, 'upon payment of two dollars,' so that said section as amended shall read as follows:

**'Sec. 36. Secretary of state to charge fee of two dollars for issuance of plates.** A motor vehicle owned by a non-resident of this state who has complied with the laws of the state of his residence relating to registration and licensing of motor vehicles, and who has a bona fide actual residence in a state granting like privileges to residents of this state, which residence is located within fifteen miles by highway of the border line of this state, may be operated upon any ways of this state distant not more than fifteen miles from said border line, if such motor vehicle is duly registered in the state of its owner's residence and the fee required therefor is paid and such motor vehicle is duly registered by the secretary of this state. The secretary of state shall furnish at his office, upon payment of two dollars, to every person whose motor vehicle is registered as aforesaid, a metal tag of suitable design, and oval in shape, having displayed upon it the number assigned to such motor vehicle, the letters "Me.," and figures showing the year of issue; but no such tag shall be furnished for motor cycles. Such tag shall at all times be conspicuously displayed on the front of such motor vehicle. Every application filed under the provisions of this section shall be verified by the oath of the applicant. Every registration under the provisions of this section shall expire with each calendar year.'

Approved April 3, 1917.

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## Chapter 172.

**An Act to Provide for the Expenses of the Legislature, for Salaries Fixed by Law, for Departmental Expenses of the State Government and for the Maintenance of the Several State Institutions During the Period of the Biennial Sessions of the Legislature.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. State auditor to prepare biennially statement of emergency expenditures for use of legislature.** The state auditor shall in the month of December before the assembling of each biennial session of the legislature prepare, and shall present to the legislature on the first day of its session, an estimate in detail, based upon the appropriations of the two preceding years, of the cost of the session of the legislature, of all salaries fixed by law, of the general departmental expenses of the state government, and of the ordinary current expenses or maintenance of the state institutions, which may be required for the period prior to the adjournment of such legislature.

**Sec. 2. Appropriations to be made with emergency clause attached.** The legislature shall forthwith appropriate, with the emergency clause, as necessary, sums sufficient to meet such costs and expenses and the treasurer of state is authorized to pay the same, upon warrants drawn by the governor and council, from any moneys in the treasury not otherwise ap-



propriated, such payments to be charged to the regular appropriations for the same when made, or from the proceeds of any temporary loan.

Approved April 3, 1917.

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## Chapter 173.

An Act to Amend Section Forty-two of Chapter One Hundred Seventeen of the Revised Statutes, Relating to Expenses of County Commissioners.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 42, relating to expenses of county commissioners, amended.** The last paragraph of section forty-two of chapter one hundred seventeen of the revised statutes is hereby amended by inserting after the word "business" in the fourth line of said paragraph the words 'and expenses incurred at public hearings away from the county seat,' so that said paragraph of said section as amended shall read as follows:

**'To be reimbursed for expenses incurred at public hearings away from county seat.** Said salaries shall be in full for all services, expenses and travel, including the management of the jails and workshops and the sale of their products, except actual necessary cash expenses incurred outside of their respective counties for the transaction of official business, and expenses incurred at public hearings away from the county seat; all bills for such expenses shall be approved by the clerk of courts and the county attorney of their county; excepting also, such expenses as are provided for in section twenty-six of chapter eighty-three.'

Approved April 3, 1917.

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## Chapter 174.

An Act to Amend Section Seventy-nine of Chapter Fifty-seven of the Revised Statutes, Relating to Speed of Trains Over and Obstruction of Grade Crossings.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 57, § 79, relating to maximum speed of trains while crossing highway amended.** Section seventy-nine of chapter fifty-seven of the revised statutes is hereby repealed and the following section is substituted therefor:

**'Sec. 79. Public utilities commission to fix speed limit.** The public utilities commission is authorized to fix a maximum speed limit at which trains may be run over any grade crossing of a highway or other way and when such limit has been by said commission fixed no engine or train shall be run over such crossings at a greater speed than that fixed by the commission and no way shall be unreasonably and negligently obstructed by engines, tenders or cars. The corporation forfeits not exceeding one hundred dollars for every such offense.'

Approved April 3, 1917.

## Chapter 175.

**An Act Amending Section Fourteen of Chapter Sixty-five of the Revised Statutes, Relating to Custody of Minor Children of Divorced Parents.**

*Be it enacted by the People of the State of Maine, as follows :*

**R. S., c. 65, § 14, relating to disposition of minor children of divorced parents, amended.** Section fourteen, of chapter sixty-five of the revised statutes relating to divorce is hereby amended by inserting after the word "live" and before the word "alter" in the fourth line of said section, the following words: 'or grant the care and custody of said children to a third person, or to some suitable society or institution for the care and protection of children', so that said section as amended shall read as follows :

**'Sec. 14. Custody may be granted to third person or to suitable society.** The court making a decree of nullity, or of divorce, or any justice thereof in vacation, may also decree concerning the care, custody and support of the minor children of the parties and with which parents any of them shall live, or grant the care and custody of said children to a third person or to some suitable society or institution for the care and protection of children, alter its decree from time to time as circumstances require ; change the name of the wife, at her request ; and in execution of the powers given it in this chapter may employ any compulsory process which it deems proper, by execution, attachment or other effectual form.'

Approved April 3, 1917.

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## Chapter 176.

**An Act to Amend Section Fifty-eight of Chapter Sixty-four, of the Revised Statutes, Relative to the Licensing of Children's Homes and Maternity Hospitals.**

*Be it enacted by the People of the State of Maine, as follows :*

**R. S., c. 64, § 58, relating to licensing of maternity hospitals, amended.** Section fifty-eight of chapter sixty-four of the revised statutes, is hereby amended by striking out in the tenth and eleventh lines the words "on the third day of July, nineteen hundred sixteen, was" and inserting in lieu thereof the words 'is or shall come' so that said section as amended shall read as follows :

**'Sec. 58. Does not apply to institutions which are or shall hereafter come under supervision of state board of charities and corrections.** No person, firm, corporation or association shall conduct or maintain a maternity hospital, or conduct or maintain a boarding house or home for three or more children under sixteen years of age, unattended by parents or guardian, excepting children related to such persons by blood or marriage, or who have been legally adopted by such persons, or engage in, or assist in conducting a business of placing out or finding homes or otherwise disposing of children under sixteen years of age, without having in full

## CHAP. 177

force a written license therefor from the state board of charities and corrections; provided, that nothing in this section shall apply to any institution, which is or shall come under the supervision of the state board of charities and corrections by the provisions of chapter one hundred forty-seven.'

Approved April 3, 1917.

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## Chapter 177.

**An Act to Prevent Discrimination against Soldiers and Sailors in the Service of the United States or State of Maine, on Account of their Uniform.**

*Be it enacted by the People of the State of Maine, as follows:*

**Penalty for discrimination without cause against soldiers or sailors, in public places.** Whoever makes any distinction, discrimination or restriction against any soldier or sailor duly enlisted in the service of the United States or the State of Maine relative to admission to, or treatment in, a theatre, skating rink or other public place of amusement, or in any public conveyance or public meeting, or in an inn or hotel, or other public places kept for gain or hire, while wearing the uniform of said United States or said State of Maine, except for good cause, shall be punished by a fine not exceeding one hundred dollars or imprisonment for not more than three months.

Approved April 3, 1917.

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## Chapter 178.

**An Act Providing for the Control of the White Pine Blister Rust and Other Fungous and Insect Pests.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. White pine blister rust dangerous pest.** That the fungous disease commonly known as the white pine blister rust is hereby declared to be a dangerous pest in all its stages; and it is the duty of the officials hereinafter named, to prosecute the measures hereinafter specified for the control of this pest.

**Sec. 2. Forest commissioner to promulgate information and to designate areas where control is necessary.** Proceedings when owner fails to comply. The forest commissioner is hereby authorized and empowered to promulgate by letter, publication, poster or other means, information concerning the white pine blister rust and to designate by the aforesaid means of promulgation, areas within the state in which control measures are necessary or advisable. It shall be the duty of every land owner within such designated area, to carry out such control measures as are ordered by the forest commissioner, including the removal and destruction of any or all plants of the genus ribes, commonly known as currants and gooseberries, and any white pine tree or trees, which are found to be infected with

**CHAP. 178 .**

the disease. If the owner fails to destroy the above named plants or trees within the time specified by the forest commissioner, the forest commissioner shall cause said plants or trees to be destroyed and shall charge the actual expense of same to the city, town or plantation within which said plants or trees are found. Such amount shall be collected as a state tax and credited to the appropriation for said purpose. The city, town or plantation wherein such plants or trees are found may assess the cost of the removal of said plants or trees to the owner of the real estate wherein the said plants or trees are found. The amount so assessed shall be collected in the form of a tax.

**Sec. 3. Commissioner or agents authorized to enter upon lands, private or public; co-operation.** The forest commissioner or his authorized agents shall have the right to enter upon any private or public lands to determine the presence or absence of the white pine blister rust in any of its stages, and to carry out the necessary eradication measures. The above mentioned commissioner may cooperate with departments of the federal government, the state department of agriculture and the agricultural experiment station for the control or eradication of said disease in the state, and for the carrying out of such investigations as are deemed advisable by the commissioner.

**Sec. 4. Diseased trees and shrubs to be destroyed; owner to be reimbursed when same are proved not to have been infected.** Any white pine trees or currant or gooseberry bushes which are found to be infected with *cronartium ribicola* are hereby declared to be a public menace and any such diseased trees or plants and any and all wild plants of the genus *ribes*, may be destroyed by order of the commissioner or his authorized agents. If within any designated area, as specified in section two of this act, currant or gooseberry bushes or white pine trees which are not infected with *cronartium ribicola* are designated by the commissioner or his agents for destruction, and destroyed by their specific order, the owner may be compensated therefor; the damages to be assessed by the commissioner or his agents at not to exceed the actual value of the material destroyed, and paid to said owner by the state treasurer upon authorization of the commissioner. In lieu of money damages for any trees or bushes destroyed under this act the commissioner may offer and the owner may accept forest planting stock to be furnished from the state forest nursery, and to be paid for at cost by the commissioner.

**Sec. 5. State nursery inspector under orders of commissioner may enter upon lands; authority.** The state nursery inspector, under direction of the commissioner of agriculture, is hereby authorized and empowered to enter upon any land contiguous to or within the vicinity of any nursery within the state, for the purpose of determining the presence or absence of *cronartium ribicola* in any of its stages or other threatening fungous disease or insect pest, and within such area he shall have the same power and duties for control and eradication of the white pine blister rust or its hosts as is vested in the forest commissioner or his agents, and shall have the power to enforce and carry out necessary measures for the control or eradication of other threatening fungous diseases or insect pests.

**Sec. 6. Shipment may be prohibited; penalty for violation.** The forest commissioner is hereby authorized and empowered to prohibit and prevent or to regulate the entry into the State of Maine or movement within the state from any part thereof to any other part, of any living five-leaved pine trees or any plants of the genus ribes, or other nursery stock or plants, which in his judgment may cause the introduction or spread of a dangerous plant disease or insect pest. The said official is hereby authorized to issue such orders, notifications and permits as may be necessary to carry out the provisions of this section, and any person violating any of the provisions of sections five and six shall be subject to a fine of not more than twenty dollars for each and every offense. The expenses necessary for carrying out section five of this act shall be paid from the appropriation for nursery inspection or other funds of the department of agriculture.

**Sec. 7. Appropriation.** The sum of five thousand dollars is hereby appropriated to carry into effect sections two, three, four and six of this act for the year ending December thirty-first, nineteen hundred seventeen; and the sum of five thousand dollars for the year ending December thirty-first, nineteen hundred eighteen.

**Sec. 8. Unexpended balance to revert to state contingent fund.** If any balance remains in the hands of the forest commissioner from the funds appropriated under section seven of this act which are not necessary for carrying out the purposes of this act, such balance shall revert to the state contingent fund.

Approved April 3, 1917.

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## Chapter 179.

An Act to Amend Section Twenty of Chapter One Hundred Seventeen of the Revised Statutes, and Increasing the Salary of the Chief Clerk in the Office of State Superintendent of Public Schools.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 20, relating to salaries in state department of education, amended.** Section twenty of chapter one hundred seventeen of the revised statutes is hereby amended by striking out the words "eighteen hundred" in the ninth line thereof and substituting in place thereof the words 'two thousand', so that said section as amended shall read as follows:

**'Sec. 20. Annual salary of chief clerk increased from \$1,800 to \$2,000.** The state superintendent of public schools shall receive an annual salary of four thousand dollars. He shall also receive his actual cash expenses incurred in the performance of his official duties, which shall be paid out of a specific appropriation for that purpose. He shall employ a chief clerk who may serve as his deputy and such other clerical assistance as the governor and council may deem necessary. The chief clerk in the office of the state superintendent of public schools shall receive an annual salary of two thousand dollars; he shall also receive his necessary expenses when on official business within the state.'

Approved April 3, 1917.

## Chapter 180.

An Act to Amend Section Twenty-eight of Chapter Forty-five of the Revised Statutes, Relating to Violations of the Lobster Law.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 45, § 28, relating to right of search in enforcement of lobster law, amended.** Section twenty-eight of chapter forty-five of the revised statutes is hereby amended by inserting after the word "lobster" in the seventh line thereof the words 'according to the provisions of section three of this chapter,' so that said section as amended shall read as follows:

**'Sec. 28. Provisions of R. S., c. 45, § 3, relating to authority of commissioner and deputies, made applicable.** For the purpose of enforcing the provisions relating to the protection of lobsters, as provided by the laws of the state relating to the lobster industry, the commissioner of sea and shore fisheries and his wardens and deputy wardens may search, at any time, in suspected places, including buildings of every description, or any pot, trap, trawl, car, boat, smack, vessel or other vehicle that they may believe is used in catching, taking, holding or transporting of lobsters, according to the provisions of section three of this chapter, and may seize and remove lobsters taken, held or offered for sale in violation of the provisions of any law of the state relating to the lobster industry. The commissioner may appoint as many persons as he wishes, who hold licenses under section eighteen, as deputy wardens, but so long as they hold licenses they shall serve without pay.'

Approved April 3, 1917.

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## Chapter 181.

An Act to Amend Section Eight of Chapter Sixty-five of the Revised Statutes Relative to Time for Hearing of Libels for Divorce.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 65, § 8, relating to jury trial in divorce cases, amended.** Section eight of chapter sixty-five of the revised statutes is hereby amended by adding thereto the following: 'In all libels for divorce returnable to the supreme judicial court the libel shall be in order for hearing at the first or return term, provided service of said libel has been made in accordance with this chapter not less than sixty days before said return term,' so that said section as amended shall read as follows:

**'Sec. 8. Libel in order for hearing at first or return term; proviso.** If either party requests in writing filed with the clerk on or before the return day of the libel, or the court orders it, the case shall be submitted to a jury; and if they find the allegations are true, and that a divorce ought to be granted according to section two, the court shall so decree. In all libels for divorce returnable to the supreme judicial court the libel shall be in order for hearing at the first or return term, provided service of said libel has been made in accordance with this chapter not less than sixty days before said return term.'

Approved April 3, 1917.

## Chapter 182.

An Act Amending Section Seventeen of Chapter Forty-five of the Revised Statutes,  
Relative to Granting Lobster Licenses.

*Be it enacted by the People of the State of Maine, as follows :*

**R. S., c. 45, § 17, relating to lobster licenses, amended.** Section seventeen, chapter forty-five of the revised statutes is hereby amended by adding after the word "consignee" and before "every" in the eighteenth line the following: 'Any person who makes the catching of lobsters his occupation, shall have the right to market such lobsters caught by him, without taking out additional license for that purpose,' so that said amended section shall read as follows :

**'Sec. 17. Persons making lobster fishing occupation may market same without additional license.** No person, firm or corporation, either by themselves as principal or by their servants or agents, shall, at any time, catch, take, hold, buy, ship, transport, carry, give away, remove, sell or expose for sale, or have in his or its possession, except for the immediate consumption of himself and family, any lobster from any of the waters within the jurisdiction of this state, or place, set, keep, maintain, supervise, lift, raise or draw in or from any of said waters, or cause to be placed, set, kept, maintained, supervised, lifted, raised or drawn in or from any of said waters any pot, trap, trawl, car, boat, smack, vessel or other contrivance designed or adapted for the catching, taking, holding or for removal or transportation of lobsters unless licensed to do so as hereinafter provided ; except that common carriers engaged in carrying general freight on fixed schedules may, without license, transport, within or without the state, lobsters legally caught ; provided that said lobsters are received by said common carriers at one of their regular established places of business upon land for receiving freight ; and provided the receptacle containing said lobsters is plainly marked showing the contents to be lobsters, together with the full and correct name and address of both consignor and consignee. Any person who makes the catching of lobsters his occupation, shall have the right to market such lobsters caught by him, without taking out additional license for that purpose. Every person, firm or corporation who shall violate any of the provisions of this section, or aid in doing so, upon conviction in any court of competent jurisdiction, as defined in section thirty-four, shall be fined twenty-five dollars for the first offense ; for the second offense, fifty dollars ; and for any subsequent offense, fifty dollars, and shall be sentenced to imprisonment for thirty days, in addition to said fine ; and no such party convicted of a third offense shall, by themselves or their servants or agents be entitled to receive a license during the period of one year from the date of said conviction.'

Approved April 3, 1917.

## Chapter 183.

An Act to Amend Section Thirty-two of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Salary of the Clerk of the Board of State Assessors.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 32, relating to salaries and clerk of state board of assessors, amended.** Section thirty-two of chapter one hundred seventeen of the revised statutes is hereby amended by striking out the word "twelve" in the fifth line and substituting the word 'fifteen', so that said section as amended shall read as follows:

**'Sec. 32. Annual salary of clerk increased from \$1,200 to \$1,500.** Each member of the board of state assessors shall receive an annual salary of two thousand dollars; they shall also receive their actual expenses incurred in the performance of their official duties. The clerk of the board of state assessors shall receive an annual salary of fifteen hundred dollars.'

Approved April 3, 1917.

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## Chapter 184.

An Act Relating to the Place of Payment in this State of Dividends Declared by Foreign Mutual Fire Insurance Companies.

*Be it enacted by the People of the State of Maine, as follows:*

**Dividend of foreign mutual fire insurance company; when and where payable.** Any dividend due from a foreign mutual fire insurance company under a policy of insurance issued by it shall be payable at the place of business of its duly commissioned agent in this state seven days subsequent to a demand for the payment thereof made by the assured or by his authorized representative; upon failure to so make such payment, an action therefor may be maintained.

Approved April 3, 1917.

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## Chapter 185.

An Act in Relation to the Duties of County Attorneys.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. County attorneys to speedily prosecute to final judgment and sentence all criminal cases.** Every county attorney, unless he makes an order of dismissal as hereinafter provided, shall diligently and without delay prosecute to final judgment and sentence all criminal cases before the supreme judicial court and superior court of his county.

**Sec. 2. Civil cases, in which state is party, to be prosecuted by him.** Shall institute scire facias in case of defaulted sureties. He shall prosecute



## CHAP. 186

to final judgment and execution all civil cases in which the state is a party in his county, and shall institute scire facias against sureties on any recognizance upon which the principal and sureties have been defaulted, before the term next succeeding that at which such default was entered upon the docket of the court, unless by order in open court the presiding justice shall grant a delay in matters of scire facias.

**Sec. 3. Dismissal of civil or criminal cases.** In order to dismiss civil or criminal cases the county attorney shall endorse upon the back of the writ, indictment or complaint in such cases a written order of dismissal, together with a statement of reasons for dismissal and said order of dismissal shall not take effect unless approved in writing by the justice presiding at the term when the dismissal herein approved of is made.

Approved April 3, 1917.

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## Chapter 186.

An Act to Accept the Benefits of an Act of Congress to Provide for the Promotion of Vocational Education.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. State to co-operate with federal government in matter of vocational education.** That the State of Maine does hereby accept the benefits of an act passed by the senate and house of representatives of the United States of America in congress assembled entitled "An act to provide for the promotion of vocational education; to provide for cooperation with the states in the promotion of such education in agriculture and the trades and industries; to provide for cooperation with the states in the preparation of teachers of vocational subjects; and to appropriate money and regulate its expenditure," approved February twenty-third, nineteen hundred and seventeen, and will observe and comply with all the requirements of said act.

**Sec. 2. State board created; state superintendent of schools chairman.** That a state board is hereby created for the purposes of the said act, and is hereby given all necessary power to cooperate with the federal board of vocational education in the administration of the provisions of the act. Said board shall consist of three members of whom the state superintendent of public school shall serve as chairman and the other two members shall be appointed by the governor with the advice and consent of the council for terms of three years. The said board shall serve without compensation.

**Sec. 3. Treasurer of state custodian of appropriations.** The treasurer of state is hereby designated as custodian for all appropriations received by the state under the provisions of the act and he shall receive and provide for the proper custody and distribution of all money paid to the state from said appropriations.

Approved April 3, 1917.

## Chapter 187.

**An Act Authorizing the Issue of Bonds and Notes to the Amount of One Million Dollars to Defray Expenses Incurred to Suppress Insurrection, Repel Invasion or for Purposes of War and Making Appropriations therefor.**

**Preamble.** Whereas, in order to prepare for the exigencies which may arise in and to the State of Maine, in the crisis now impending in the foreign relations of the United States, the appropriation of money therefor and the incurring of debt or debts, liability or liabilities, in behalf of the state in excess of the ordinary debt limit of the state are necessary and are emergency measures immediately necessary for the preservation of the public peace, health and safety, now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Million dollar war fund created.** Treasurer of state with advice of governor and council may issue bonds and notes; form. The governor and council are hereby directed to render to the government of the United States in the present crisis any and all assistance within the power of the state and for the purpose of suppressing insurrection, repelling invasion or for purposes of war, the governor with the advice and consent of the council may draw his warrant upon any money in the treasury available and not otherwise appropriated, and the treasurer of state may, under the direction of the governor and council, borrow upon the credit of the state such sums, not exceeding one million dollars, as may be necessary to carry out the provisions of this act, and for that purpose may issue bonds and or notes in the name and on behalf of the state, at such rates of interest, in such sums and of such denominations and on such time or times, and to mature at a definite time or serially as the governor and council may determine. Such bonds and or notes shall be signed by the treasurer of state, countersigned by the governor, and attested by the state auditor with the seal of the state affixed, and shall be deemed to be and shall be a pledge of the faith and credit of the state and shall be tax exempt. The coupons attached to any coupon bonds so issued shall bear the facsimile of the signature of the treasurer of state, instead of his original signature. The state auditor shall keep an account of such bonds and or notes, showing the number and amount of each, the date of countersigning, the date when payable, and the date of delivery thereof to the treasurer of state, who shall keep an account of such bonds and or notes, showing the number thereof, the names of the persons to whom sold, the amount received for the same, the date of sale and the date when payable. The treasurer of state may negotiate the sale of such bonds and or notes under the direction of the governor and council in such manner as they may deem most advantageous to the state and the proceeds of the sale of such bonds and or notes shall be held by the treasurer of state, and paid by him upon warrants drawn by the governor and council for the purposes of this act, until otherwise ordered by the legislature.

**Sec. 2. Appropriation.** The sum of one million dollars is hereby appropriated to be paid out of the treasury of state from any money in the treas-

## CHAP. 188

ury not otherwise appropriated and from the proceeds of any bonds and or notes issued under the provisions of this act to be expended under the direction of the governor with the advice and consent of the council in defraying the expenses incurred in carrying out the purposes of this act.

**Sec. 3. Interest, how met.** Interest due or accruing upon any bonds and or notes issued under the provisions of this act shall be paid by the treasurer of state from any money in the state treasury not otherwise appropriated, and or from the state contingent fund upon warrants drawn by the governor and council therefor.

**Sec. 4. Emergency clause.** In view of the emergency cited in the preamble hereof this act shall take effect when approved.

Approved April 3, 1917.

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## Chapter 188.

An Act to Amend Sections Fifty-five, Fifty-six, Fifty-seven, Fifty-eight, Fifty-nine, Sixty-one and Sixty-two of Chapter Sixteen of the Revised Statutes, to Provide for the Formation of Unions for the Employment of Superintendents of Schools.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 16, § 55, relating to school supervisory unions, amended.** Section fifty-five of chapter sixteen of the revised statutes is hereby amended by striking out all of said section and inserting in place thereof the following, so that said section when amended shall read as follows:

**'Sec. 55. I. All towns to be combined by state superintendent for purposes of supervision, on or before Jan. 1, 1918. Aggrieved school committees may appeal to governor and council.** It shall be the duty of the state superintendent of public schools on or before the first day of January, nineteen hundred eighteen, to combine all the towns of the state, except as herein provided, into unions for the purpose of employing superintendents of schools. Such supervisory unions as shall have been formed prior to said date may be dissolved by the state superintendent of public schools for the purpose of more advantageous combination. Provided, however, that any superintending school committee of a town dissatisfied with the combination proposed by the state superintendent of public schools to include that town may appeal to the governor and council who shall make the final decision relative thereto. The unions formed under the provisions of this act shall be effective July first, nineteen hundred eighteen. Whenever, upon the representation of the superintending school committee of any town, it shall appear to the state superintendent of public schools to be to the advantage of said town and of the state to change the combination of towns composing the union of which said town is a part, the said state superintendent of public schools shall have authority to direct the dissolution and organization of unions so that a more advantageous combination may be effected. Provided, however, that any superintending school committee of a town dissatisfied with the change in the combination proposed by the state superintendent of

**CHAP. 188**

public schools to include that town may appeal to the governor and council who shall make the final decision relative thereto.

**II. Union to include not less than thirty nor more than fifty schools; proviso.** Any school supervisory union formed under the provisions of this section shall include not less than thirty nor more than fifty schools unless the state superintendent of public schools shall find upon representation of any school committee that owing to geographical situation or other reasons it is to the advantage of the state and of said towns that a union shall include fewer than thirty or more than fifty schools.'

**Sec. 2. R. S., c. 16, § 56, relating to union school committees, organizations, etc.** Section fifty-six of chapter sixteen of the revised statutes is hereby amended by striking out all of said section and inserting in place thereof the following, so that said section when amended shall read as follows:

**'Sec. 56. First meeting to be held upon notification of state superintendent; subsequent meetings. Union superintendent removed for cause. Salary, tenure of office, etc.** The superintending school committees of the towns composing a union shall form a joint committee, and for the purposes of this section and the four following sections, said joint committee shall be held to be the agents of each town composing the union, provided, however, that the superintending school committee of any town may authorize one of its members to act for the committee in the meetings of the joint committee, and in such case, the member so authorized, may cast the votes for the full membership of his committee. Said joint committee upon notification by the state superintendent of public schools shall meet before the first day of July, nineteen hundred eighteen, and in June annually thereafter, at a day and place agreed upon by the chairman of the committees of the several towns composing the union, and shall organize by the choice of a chairman and a secretary. Said joint committee shall determine the relative amount of service to be performed by the superintendent in each town, including the minimum number of visits to be made each term to each school, fix his salary, apportion the amounts thereof to be paid by the several towns, which amounts shall be certified to the treasurers of said towns, respectively and to the state superintendent of public schools, together with the amounts apportioned to each town, provided, that the amount so certified shall be in proportion to the amount of service performed in the several towns. Said joint committee, at the time of its organization, or as soon thereafter as possible, and whenever a vacancy shall occur, shall choose by ballot a superintendent of schools for a term of not less than one year nor more than five years, provided, however, that said committee, by a two-thirds vote of its full membership, after due notice and investigation, may for cause discharge a superintendent of schools before the expiration of the term for which he was elected, and after such discharge the salary of said superintendent shall cease.'

**Sec. 3. R. S., c. 16, § 57, par. I, relating to certificate as to election of superintendent; state aid, etc., amended.** Paragraph one of section fifty-seven of chapter sixteen of the revised statutes is hereby amended by strik-

ing out the words "Annually upon the first day of April" in the fifth line thereof, and substituting in place thereof the words 'On or before the first day of August, nineteen hundred eighteen, and annually thereafter,' and by striking out the words "and out of any moneys in the treasury not otherwise appropriated" in the tenth and eleventh lines thereof, so that said section when amended shall read as follows:

**'Sec. 57. I. Return to be made on or before Aug. 1st, 1918, and annually thereafter. Union superintendents to be paid out of sum specifically appropriated for that purpose.** The chairman and secretary of said joint committee, shall, upon the election of a superintendent of schools as provided by the preceding section, certify under oath to the state superintendent of public schools, upon the forms prescribed by him, all facts relative to said union and employment of a superintendent. On or before the first day of August, nineteen hundred eighteen, and annually thereafter, and whenever a new superintendent is chosen said chairman and secretary shall make return of a similar certificate. Upon approval of said certificate the superintendent so employed shall, on presentation of proper vouchers, receive monthly out of the sum appropriated for superintendence of towns composing school unions a sum equal to twice the aggregate sum paid by the towns composing the union, provided, that the amount so paid for the benefit of a single union of towns shall not exceed eight hundred dollars in one year, and provided further, that the annual appropriation for payments hereunder shall be deducted from state school funds.'

**Sec. 4. R. S., c. 16, § 57, par. II, relating to superintendence of more than fifty schools, amended.** Paragraph two of section fifty-seven of chapter sixteen of the revised statutes is hereby amended by striking out all of said paragraph of said section, and substituting therefor the following:

**'II. Towns and cities having fifty schools or over need not unite. Return to be made annually in December. Like regulations to be observed as in unions.** The superintending school committee of a city or town having under its care and custody an aggregate of more than fifty schools may employ a superintendent of schools without uniting with other cities or towns for the purpose. Said superintendent of schools shall be chosen in the same manner and for the same term and may be discharged under the same conditions as superintendents employed under the provisions of section fifty-six. Annually, in the month of December the chairman and secretary of said committee shall certify to the state superintendent of public schools, upon forms prescribed by him, all facts relative to the employment of a superintendent including the amount of his salary received, then upon the approval of said certificate by the state superintendent of public schools and presentation to the governor and council, a warrant shall be drawn upon the treasurer of state for the payment to the treasurer of that town or city, of a sum equal to two-thirds the amount expended by said town or city for said superintendence, provided that the amount so paid for the benefit of a single town or city shall not be at a rate exceeding eight hundred dollars for one year.'

**Sec. 5. R. S., c. 16, § 58, par. I, relating to appropriations for salary of superintendent, amended.** Section fifty-eight of chapter sixteen of the re-

**CHAP. 188**

vised statutes is hereby amended by striking out all of paragraph one of said section and substituting in place thereof the following: 'Towns shall appropriate for the salary of the superintendent of schools their proportion of the sum paid said superintendent to the amount certified by the joint committee to the town treasurer, and said proportion to be paid by any town may be paid out of an appropriation for the salaries of town officers or out of a special appropriation for the purpose or out of both, but it shall not be paid from any appropriation made for the support or maintenance of common schools or high schools,' so that said section when amended shall read as follows:

**'Sec. 58. I. Salary may be paid from appropriation for salary of town officers, not to be paid from school appropriation.** Towns shall appropriate for the salary of the superintendent of schools their proportion of the sum paid said superintendent to the amount certified by the joint committee to the town treasurer, and said proportion to be paid by any town may be paid out of an appropriation for the salaries of town officers or out of a special appropriation for the purpose or out of both, but it shall not be paid from any appropriation made for the support or maintenance of common schools or high schools.

**II. Conference of instruction shall be held.** The state superintendent of public schools shall annually hold a conference for the instruction of superintendents serving under the provisions of the three preceding sections; he may expend not exceeding five hundred dollars out of the appropriation for the superintendence of towns composing school unions, to assist in defraying the mileage expenses of those superintendents who live remote from the place of such conference; but no superintendent shall be entitled to any part of such expenses unless he shall regularly attend all sessions of such conference.'

**Sec. 6. R. S., c. 16, § 59, relating to qualifications of superintendents, etc., amended.** Section fifty-nine of chapter sixteen of the revised statutes is hereby amended by designating said section as paragraph one and striking out the words "upon such examination" in the fourth line thereof, and substituting in place thereof the words 'under such regulations,' and by striking out all of the last sentence of said section so that said section when amended shall read as follows:

**'Sec. 59. I. State superintendent to make regulations under which certificates shall be issued.** Persons employed to serve as superintendents of schools under section fifty-six and section fifty-seven shall hold state certificates of superintendence grade which shall be issued under such regulations as may be prescribed by the state superintendent of public schools; they shall devote their entire time to superintendence in the towns composing the union; provided, however, that they may, without violation of the provisions of this section, perform such educational service outside of the towns of their unions as may be performed with the approval of the state superintendent of public schools and with the consent of the committees employing them.'

**Sec. 7. R. S., c. 16, § 59, relating to powers of superintendents, amended.** Section fifty-nine of chapter sixteen of the revised statutes is hereby further amended by adding the following as paragraph two of said section:

**II. Powers and duties enumerated.** A superintendent of schools employed under the provisions of sections fifty-six and fifty-seven shall have the following powers and duties:

**(a) Secretary ex-officio.** He shall be ex-officio, secretary of the superintending school committee and shall perform such duties not herein enumerated as said committee shall direct.

**(b) Auditor; vouchers to be approved by majority of board.** He shall keep a permanent record of all its votes, orders and proceedings; he shall place all orders for materials and supplies purchased by vote of the committee and shall be its agent in keeping all financial records and accounts. He shall issue vouchers showing the correctness of bills contracted on account of school appropriations, but such bills shall not be allowed for payment by the municipal officers of towns unless they shall have been approved by a majority of the members of the superintending school committee.

**(c) Shall visit the schools; annual report.** He shall examine the schools and inquire into the regulations and discipline thereof, and the proficiency of the pupils, for which purposes he shall visit each school at least the minimum number of times each term which the joint committee may designate. At the annual town meeting, he shall make a written report of the condition of the schools for the past year, with a statement of the condition of school buildings, the proficiency made by the pupils, and the success attending the modes of instruction and government thereof, and transmit a copy to the state superintendent of public schools.

**(d) Shall keep account of finances and report once a term to committee of respective towns.** He shall keep a faithful and accurate account of school finances and he shall report at least once a term in writing to each of the several committees of the supervisory union, including in such report a statement of the condition of the schools, a financial statement, and a statement of the condition of school buildings and outbuildings in the matter of repair, cleanliness and sanitary arrangements.

**(e) Shall nominate teachers; election to be approved by committee.** He shall nominate all teachers subject to such regulations governing salaries and the qualifications of teachers as the superintending school committee shall make, and upon the approval of nominations by said committee he may employ teachers so nominated and approved.

**(f) Shall supervise work of teachers.** He shall direct and supervise the work of all teachers.

**(g) Shall select and purchase text books on approval of committee.** He shall select text books, supplies and apparatus subject to the approval of the superintending school committee and shall make all purchases of the same under such regulations as the superintending school committee shall adopt.

**(h) Shall distribute and account for supplies.** He shall see to it that all necessary apparatus and supplies are seasonably distributed to each school and accurately accounted for and economically used.

**(i) Shall enforce rules of committee.** He shall enforce or cause to be enforced all regulations of the superintending school committee.'

## CHAP. 188

**Sec. 8. R. S., c. 16, § 61, relating to supervision in remotely situated plantations, amended.** Section sixty-one of chapter sixteen of the revised statutes is hereby amended by inserting after the word "any" in the second line thereof the words 'town or', and by striking out the words "upon the petition of the superintending school committee of said plantation" in the fourth and fifth lines thereof, and by striking out the words "said committee" in the fifth line thereof and inserting in place thereof the words 'the committee of such town or plantation,' and by inserting after the word "townships" in the sixth line thereof the words 'or any other agent of the state superintendent of public schools,' and by inserting after the word "said" in the seventh and tenth lines thereof the words 'town or', so that said section when amended shall read as follows:

**'Sec. 61. Provisions made applicable to remote towns. State superintendent may take initiative in appointing agent to act as superintendent.** Whenever the state superintendent of public schools shall find on investigation that any town or plantation is so situated that it is not practicable to form a union in accordance with the provisions of sections fifty-five to sixty, inclusive, he may place at the service of the committee of such town or plantation the general agent for the schooling of the children in unorganized townships, or any other agent of the state superintendent of public schools, who shall, when so assigned, serve as the superintendent of schools of said town or plantation; when the said agent shall so serve he shall have the same powers and shall perform the same service as superintendent of schools of towns; provided, however, that his visits to the schools of said town or plantation shall be at such intervals as may be directed by the state superintendent of public schools.'

**Sec. 9. R. S., c. 16, § 62, relating to reimbursement by remotely situated plantations for payment of agents acting as superintendents, amended.** Section sixty-two of chapter sixteen of the revised statutes is hereby amended by striking out all of said section and inserting in place thereof the following so that said section when amended shall read as follows:

**'Sec. 62. Reimbursements to be added to appropriation for union school superintendents; may be used for traveling expenses of agents.** Whenever the schools of any town or plantation shall be placed under the supervision of agents of the state superintendent of public schools as provided by the preceding section the treasurer of said town or plantation shall pay to the treasurer of state a sum which shall be at the rate of twenty-five dollars annually for each of the schools of said town or plantation and the amount so received by the treasurer of state shall be added by him to the appropriation for the superintendence of towns composing school unions and may be used for defraying the traveling expenses of agents so employed.'

Approved April 6, 1917.



## Chapter 189.

An Act to Amend Section Seventeen of Chapter Eight of the Revised Statutes, Relating to the Sale of Timber on Reserved Lands in All Townships or Tracts.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 8, § 17, relating to authority of land agent respecting reserved lands, amended.** Section seventeen of chapter eight of the revised statutes is hereby amended by striking out all of said section and substituting therefor the following:

**'Sec. 17. Sale price must be approved by assessors of plantation or by county commissioners; public notice to be given of intention to sell timber. Exceptions.** The land agent shall have the care of the reserved lands in all townships or tracts until they are incorporated and the fee becomes vested in the town. He may from time to time, sell for cash for such sum as may be consented to by the assessors of any organized plantation or by the county commissioners in the county in which any unorganized plantation is situated, the timber and grass thereon or the right to cut the same, until incorporated into a town, except the grass growing on improvements made by an actual settler. When so sold he shall give the purchaser a permit under his hand and seal, setting forth the terms of the contract, which permit shall be recorded in the office; provided, however, that no timber shall be so sold until the same has been advertised for sale and a notice thereof published for three weeks successively in some newspaper published in the county where the land is situated, and if no such paper is published in such county then in the state paper. Except that this act shall not apply to cases where the reserved lands have not been located.'

Approved April 6, 1917.

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## Chapter 190.

An Act to Amend Sections Twelve and Thirteen of Chapter Thirty-seven of the Revised Statutes Relative to the Inspection of Milk, and to Provide a Penalty for Interference with Inspectors Appointed by Cities and Towns in the Performance of their Duties.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 37, § 12, relating to appointment of inspectors of milk, amended.** Section twelve of chapter thirty-seven of the revised statutes is hereby amended by inserting after the word "milk" in the fifth line thereof the words 'cream, butter, and all other dairy products, substitutes therefor and imitations thereof', so that said section as amended shall read as follows:

**'Sec. 12. Made to include all dairy products.** The municipal officers of cities and towns containing not less than three thousand inhabitants, and the municipal officers of all other towns on application of ten voters therein, shall appoint annually one or more persons to be inspectors of milk, cream, butter and all other dairy products, substitutes therefor and imitations thereof, who

**CHAP. 191**

before entering upon their duties, shall give notice of their appointment by publishing the same for two weeks in a newspaper published in their towns, if any, otherwise by posting such notice in two or more public places therein; and they may receive such fees as said officers establish.'

**Sec. 2. R. S., c. 37, § 13, relating to duties of inspectors, amended.** Section thirteen of chapter thirty-seven of the revised statutes is hereby amended by striking out all of said section and substituting therefor the following:

'**Sec. 13. Inspectors shall have access at reasonable hours to all places where dairy products are handled; shall pay for sample taken.** Inspectors appointed by the municipal officers of cities and towns shall keep an office and books for the purpose of recording the names and places of business of all persons selling milk or other dairy products within their jurisdiction. They shall have access at all reasonable hours to all places of business, factories or carriages, cans or other vessels used in the production, handling or sale of milk or any other dairy product, substitute therefor or imitation thereof, and, upon tendering the market price of a sample of milk or other dairy product, substitute therefor or imitation thereof, may take such sample from any person, firm, corporation or association; cause it to be analyzed or otherwise satisfactorily tested, and preserve the result as evidence. The inspectors shall, if the owner of the product inspected so requests, leave with the owner a sealed specimen of the product examined by them, which shall be marked in the same manner as the specimen taken at that time by the inspector; and they shall prosecute for all violations of sections fifteen and twenty-eight.'

**Sec. 3. R. S., c. 37, relating to regulation of sale of milk, supplemented.** Chapter thirty-seven of the revised statutes is hereby amended by adding the following section:

'**Sec. 37. Interference with milk inspector. Penalty.** Whoever in any way interferes with a milk inspector of a city or town, or his agent, in the performance of his duties, by refusing entrance to a place he is authorized to enter, or access to a receptacle to which he is authorized to have access, or by refusing to deliver to him a sample which he is authorized to take, or in any other way interferes with said inspector or his agent in the performance of his duties, shall be fined not less than ten nor more than fifty dollars, or imprisoned for not less than ten nor more than thirty days.'

Approved April 6, 1917.

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## **Chapter 191.**

**An Act to Amend Section Nineteen of Chapter Eighty-six of the Revised Statutes, Relating to Service of Writs on Corporations.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 86, § 19, relating to service of writs on counties, towns, corporations, etc., amended.** Section nineteen of chapter eighty-six of the revised statutes is hereby amended by striking out the word "thirty" in the seven-

## CHAP. 192

teenth line thereof and inserting in lieu thereof the word 'fourteen', so that said section as amended shall read as follows:

**'Sec. 19. Service to be made fourteen days before return day, instead of thirty.** In suits against a county, the summons shall be served by leaving an attested copy thereof with one of the county commissioners or their clerk; against a town, parish, religious society or school district, with the clerk, or one of the selectmen or assessors, if there is any such officer; if not, with a member of such corporation; and against any other corporation, however created, with its president, clerk, cashier, treasurer, general agent or director; if there is no such officer or agent found within the county where such corporation is established, or where its records or papers are by law required to be kept, with any member thereof; and in all suits and proceedings at law or in equity against any foreign or alien company or corporation established by the laws of any other state or country, and having a place of business within this state or doing business herein, service of the writ, bill, petition or other process is sufficient, if made by leaving an attested copy thereof with the president, clerk, cashier, treasurer, agent, director or attorney of such company or corporation, or by leaving such copy at the office or place of business of such company or corporation within this state; and in each case, it shall be so served fourteen days before the return day thereof.'

Approved April 6, 1917.

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## Chapter 192.

An Act to Amend Sections Four, Five and Seven of Chapter Ninety-five of the Revised Statutes, in Relation to Mortgages of Real Estate.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 95, § 4, relating to real estate foreclosure after possession, amended.** Section four of chapter ninety-five of the revised statutes is hereby amended by adding thereto the following words: 'provided that an affidavit signed and sworn to by the mortgagee or by the holder of record of the mortgage, or their legal representatives, is, within three months after the expiration of one year from the taking of such possession, recorded in the registry of deeds where the certificate of foreclosure is recorded; such affidavit shall state the names of the parties to the mortgage, its date, the date of the foreclosure and the place of the record of the certificate of foreclosure, and shall state in general terms that the holder of such mortgage has been in continuous possession for the period of one year after the taking of such possession, and that no payment has been made by the mortgagor, mortgagors, assigns, heirs or legal representatives, on the principal sum or interest of the said mortgage, since the taking of such possession, and that the party or parties holding said mortgage during the said one year, have not knowingly or intentionally done any act to waive the rights under said foreclosure proceedings. The register of deeds shall record such affidavit and note on the margin of the record of the original mortgage, the place of the record of such affidavit, and the fee for recording such affidavit shall be the

**CHAP. 192**

same as the recording of a certificate of foreclosure; but the fact that the register does not note the record of said affidavit on the margin of record of the original mortgage shall not invalidate the foreclosure proceedings. Any person, persons, firm or corporation knowingly or wilfully making a false affidavit or a false statement therein, shall be liable in damages in an action on the case to any party, or the assigns or legal representatives of any party, sustaining damages thereby,' so that said section as amended shall read as follows:

**'Sec. 4. Affidavit must be filed with register of deeds; penalty for false statement.** Possession obtained in either of these three modes, and continued for one year, forever forecloses the right of redemption, provided that an affidavit signed and sworn to by the mortgagee or by the holder of record of the mortgage, or their legal representatives, is, within three months after the expiration of one year from the taking of such possession, recorded in the registry of deeds where the certificate of foreclosure is recorded; such affidavit shall state the names of the parties to the mortgage, its date, the date of the foreclosure and the place of record of the certificate of foreclosure, and shall state in general terms that the holder of such mortgage has been in continuous possession for the period of one year after taking of such possession, and that no payment has been made by the mortgagor, mortgagors, assigns, heirs or legal representatives, on the principal sum or interest of the said mortgage, since the taking of such possession, and that the party or parties holding said mortgage during the said one year have not knowingly or intentionally done any act to waive the rights under said foreclosure proceedings. The register of deeds shall record such affidavit and note on the margin of the record of the original mortgage, the place of the record of such affidavit, and the fee for recording such affidavit shall be the same as the recording of a certificate of foreclosure; but the fact that the register does not note the record of such affidavit on the margin of the record of the original mortgage shall not invalidate the foreclosure proceedings. Any person, persons, firm or corporation knowingly or wilfully making a false affidavit or a false statement therein, shall be liable in damages in an action on the case to any party, or the assigns or legal representatives of any party, sustaining damages thereby.'

**Sec. 2. R. S., c. 95, § 5, relating to foreclosure without possession, amended.** Division two of said section five of said chapter is hereby amended by striking out the words "or his assignee" in the second line of said division two and inserting in lieu thereof the following words: 'or mortgagors or in case of any recorded transfer or transfers of the mortgaged property since the giving of the mortgage, on the record holder or holders of the title of the mortgaged property at the time of the service of said notice,' so that said division two of said section five when amended shall read as follows:

**'II. Service to be made on record holder, in case of recorded transfer.** He may cause an attested copy of such notice to be served on the mortgagor, or mortgagors or in case of any recorded transfer or transfers of the mortgaged property since the giving of the mortgage, on the record holder or holders of the title of the mortgaged property at the time of the service of

## CHAP. 192

said notice, if he lives in the state, by the sheriff of the same county or his deputy, by delivering it to him in hand or leaving it at his last and usual place of abode; and cause the original notice and the sheriff's return thereon to be recorded within thirty days after such service as aforesaid; and in all cases the certificate of the register of deeds is prima facie evidence of the fact of such entry, notice, publication of foreclosure, and of the sheriff's return.'

**Sec. 3. R. S., c. 95, § 7, relating to right of mortgagor to redeem, amended.** Section seven of said chapter ninety-five is hereby amended by adding thereto the following: 'provided that an affidavit signed and sworn to by the mortgagee or by the holder of record of the mortgage, or their legal representatives is within three months after the expiration of one year from the first publication, or the service of the notice mentioned in section five, recorded in the registry of deeds where the certificate of foreclosure mentioned in said section five is recorded; such affidavit shall state the names of the parties to the mortgage, its date and the date of the foreclosure and the place of the record of the certificate of foreclosure, and shall state in general terms that no payment has been made by the mortgagor, mortgagors, assigns, heirs or legal representatives, on the principal sum or interest of the said mortgage, since the commencement of said foreclosure proceedings, and that the party or parties holding said mortgage during the said one year, have done no act to waive the rights under said foreclosure proceedings. The register of deeds shall record such affidavit and note on the margin of the record of the original mortgage, the place of the record of such affidavit, and the fee for recording such affidavit shall be the same as the recording of a certificate of foreclosure; but the fact that the register does not note the record of said affidavit on the margin of the original mortgage, shall not invalidate the foreclosure proceedings. Any person, persons, firm or corporation knowingly or wilfully making a false affidavit or a false statement therein, shall be liable in damages in an action on the case to any party, or the assigns or legal representatives of any party, sustaining damages thereby,' so that said section when amended shall read as follows:

**'Sec. 7. Mortgagee, etc., to file affidavit; penalty for false statement.** The mortgagor, or person claiming under him, may redeem the mortgaged premises within one year after the first publication, or the service of the notice mentioned in section five, and if not so redeemed his right of redemption is forever foreclosed; provided that an affidavit signed and sworn to by the mortgagee or by the holder of record of the mortgage, or their legal representatives is, within three months after the expiration of one year from the first publication, or the service of the notice mentioned in section five, recorded in the registry of deeds where the certificate of foreclosure mentioned in said section five is recorded; such affidavit shall state the names of the parties to the mortgage, its date and the date of the foreclosure and the place of the record of the certificate of foreclosure, and shall state in general terms that no payment has been made by the mortgagor, mortgagors, assigns, heirs or legal representatives, on the principal sum or interest of the said mortgage, since the commencement of said foreclosure proceedings, and that the party or parties holding said mortgage during the said one year, have done no act to waive the rights under said foreclosure proceedings. The register

**CHAP. 193**

of deeds shall record such affidavit and note on the margin of the record of the original mortgage, the place of the record of such affidavit, and the fee for recording such affidavit shall be the same as the recording of a certificate of foreclosure; but the fact that the register does not note the record of said affidavit on the margin of the record of the original mortgage, shall not invalidate the foreclosure proceedings. Any person, persons, firm or corporation knowingly or wilfully making a false affidavit or a false statement therein, shall be liable in damages in an action on the case to any party, or the assigns or legal representatives of any party sustaining damages thereby.'

**Sec. 4. Provisions not retroactive.** This act shall not apply to any mortgage on which foreclosure proceedings have been commenced at the time this act goes into effect.

Approved April 6, 1917.

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## Chapter 193.

An Act to Amend Chapter Seventy-six of the Revised Statutes, Relating to Sales of Real Estate by License of Court.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 76, § 1, par. IV., relating to sale of real estate of incapacitated wife, by license of court.** Paragraph four of section one of chapter seventy-six of the revised statutes is hereby amended by adding the following sentence: 'For the purposes of this section an insane husband or wife who has been committed to an asylum for insane persons, within the State of Maine, shall be deemed to remain a resident of the county in which he or she had a residence at the time he or she was committed, so long as he or she shall remain in such an asylum by virtue of such commitment,' so that said paragraph as amended shall read as follows:

**'IV. Residence of insane husband or wife not relinquished by commitment for purposes of this section.** Of a husband or guardian of an incapacitated wife resident in the county, to sell, on such terms and conditions as the judge thinks proper, for a sufficient consideration, any real estate held by him in right of his wife, or any of her right and interest by descent in any real estate owned by him; and of the guardian of an incapacitated husband, resident in the county, to sell in like manner, the right and interest by descent, of such ward, in any real estate owned by his wife. For the purposes of this section an insane husband or wife who has been committed to an asylum for insane persons, within the State of Maine, shall be deemed to remain a resident of the county in which he or she had a residence at the time he or she was committed, so long as he or she shall remain in such an asylum by virtue of such commitment.'

Approved April 6, 1917.

## Chapter 194.

**An Act to Amend Sections Thirty-seven and Forty-five of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Salaries of County Attorney and Assistant County Attorney for Cumberland County and to Provide for Clerk Hire in said County Attorney's Office.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 117, § 37, relating to compensation of county attorneys, amended.** Section thirty-seven of chapter one hundred seventeen of the revised statutes is hereby amended by striking out the word "seventeen" in the sixth line thereof and inserting in lieu thereof the word 'eighteen' and by striking out the words "nine hundred" in the twenty-first line thereof and inserting in lieu thereof, the words 'one thousand' so that said section as amended shall read as follows:

**Sec. 37. Salary of Cumberland county attorney increased from \$1,700 to \$1,800; salary of assistant increased from \$900 to \$1,000.** County attorneys of the several counties shall receive annual salaries from the state treasury in monthly payments on the last day of each month, as follows:

Androscoggin, twelve hundred dollars.

Aroostook, fifteen hundred dollars.

Cumberland, eighteen hundred dollars.

Franklin, five hundred dollars.

Hancock, seven hundred and fifty dollars.

Kennebec, fourteen hundred dollars.

Knox, seven hundred dollars.

Lincoln, five hundred dollars.

Oxford, nine hundred dollars.

Penobscot, fifteen hundred dollars.

Piscataquis, six hundred dollars.

Sagadahoc, six hundred dollars.

Somerset, eight hundred and fifty dollars.

Waldo, five hundred dollars.

Washington, nine hundred dollars.

York, twelve hundred dollars; and no other fees, costs or emoluments shall be allowed them. The assistant county attorney for the county of Cumberland, one thousand dollars. He shall hold his office during the term of the county attorney by whom he is appointed, subject to removal at any time by the justice of the superior court for said county.'

**Sec. 2. R. S., c. 117, § 45, relating to clerk hire in county offices, amended.** Section forty-five of chapter one hundred seventeen of the revised statutes is hereby amended by adding to the fourth paragraph thereof, the following: 'for clerks in the office of the county attorney, six hundred dollars,' so that said paragraph as amended shall read as follows:

**\$600 for clerk hire in office of Cumberland county attorney.** Cumberland county; for clerks in the office of register of deeds, two thousand seven hundred dollars; for clerks in the office of register of probate, two thousand one hundred dollars; for clerks in the office of clerk of courts, two thousand

**CHAP. 195**

two hundred dollars; for clerks in the office of the recorder of the Portland municipal court, seven hundred eighty dollars; for clerks in the office of county attorney, six hundred dollars.'

Approved April 6, 1917.

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## Chapter 195.

### AN ACT TO CREATE A BOARD OF PRISON COMMISSIONERS.

**Preamble.** Whereas the management of the state prison vitally affects the peace, health and safety of the public and the provisions of the following act are deemed by the legislature to be essential to the proper administration of said prison and the judicious treatment, employment and liberation of the prisoners therein confined, and whereas the facts above recited constitute an emergency, in the opinion of this legislature, rendering the passage of said act immediately necessary for the preservation of the public peace, health and safety, now, therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Board of prison commissioners created; tenure of office, vacancies, compensation, etc.; may appoint secretary, salary.** The governor, with the advice and consent of the council, shall appoint a board of prison commissioners consisting of three members, one to serve six years, one to serve four years and one to serve two years. Each member of the board shall receive five dollars for each day of actual service and necessary expenses. As vacancies occur by expiration of terms they shall be filled by appointment as above described and such appointment shall be for six years. Whenever a vacancy occurs by reason of death, incapacity or resignation, appointment shall be made as above described for the unexpired portion of such term. One of the members of said board shall be designated in his commission as chairman. The commission may appoint a secretary, who shall receive an annual salary of three hundred dollars. The word "commission" as used in this act shall mean the board of prison commissioners.

**Sec. 2. Duties of commission.** The commission shall have the general direction and control of the state prison, exclusive of any other board created by statute. It shall make and establish such rules and regulations, not inconsistent with law, as it may deem expedient for the direction of the officers of the prison in the performance of their duties; for the government, discipline, instruction and employment of the inmates; for the supply of food, clothing and bedding therein and for the custody and preservation of the property connected therewith.

**Sec. 3. Warden, chaplain and physician appointed by commission; warden to appoint others. Compensation, how fixed.** The warden, chaplain and physician shall be appointed by the commission and shall hold office during its pleasure. All other officers and employees of the prison shall be appointed and commissioned by the warden with the approval of the commis-



sion. The compensation of all officers and employees of the prison shall be established by the commission, subject to the approval of the governor and council.

**Sec. 4. Commission to act as advisory board in matter of pardons.** The commission shall be an advisory board of pardons. It shall consider carefully and thoroughly the merits of all applications for pardon and commutation of sentence referred to it by the governor and it shall make to him in writing, without publicity, a full report of the crime for which the applicant was sentenced, his physical and mental condition, his previous history and record, his domestic relations, his conduct while in prison and any other pertinent facts or circumstances, together with the conclusions and recommendations of said commission. No such report shall be made without the concurrence of a majority of its members.

**Sec. 5. Commission may authorize employment of prisoners on highways, etc.** Said commission may authorize the employment of able-bodied prisoners, sentenced for any term less than life, in the construction or improvement of highways or on other public works within the state under such arrangements as may be made with the state highway commission or other department of the state having such public works in charge, and said commission shall prescribe such rules and conditions as it deems expedient to insure the proper care and treatment of the prisoners while so employed and their safe-keeping and return. Prisoners while so employed shall not be required to wear clothing which will materially distinguish them from other workmen.

**Sec. 6. May require physical and mental examination.** The commission may require a physical and psychopathic examination of persons committed to the prison and shall keep a record thereof. At the request of the commission the superintendent and trustees of the state hospitals at Augusta and Bangor shall designate competent physicians employed at said hospitals to conduct such examinations and the actual expenses of physicians in making such examinations shall be paid from any funds in the state treasury available for the maintenance of the prison. The commission is authorized to transfer any prisoner to either of said hospitals for further study or observation of his mental condition if it is deemed advisable.

**Sec. 7. Reward may be offered for apprehension of prisoner violating parole.** The warden, with the approval of the commission, may offer a reward not exceeding one hundred dollars for the apprehension and return of any prisoner released on parole who shall have violated the conditions of his release, and upon satisfactory proof that the terms of said offer have been complied with the governor, with the advice and consent of the council, shall draw his warrant upon the treasurer for the payment thereof.

**Sec. 8. Parole board and board of prison and jail inspectors abolished. Commission given jurisdiction in matter of paroles.** The advisory board in the matter of paroles and the board of prison and jail inspectors are hereby abolished and all of the powers and authority conferred by law upon said boards are hereby transferred to the board of prison commissioners and all

**CHAP. 196**

existing provisions of law applicable to either of said boards shall hereafter apply to said board of prison commissioners. The commission shall have exclusive jurisdiction in all cases in granting paroles.

**Sec. 9. Inconsistent statutes repealed.** Sections four, eleven and fifty-two of chapter one hundred and forty-two of the revised statutes and all other acts or parts of acts inconsistent herewith are hereby repealed.

**Sec. 10. Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 6, 1917.

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## Chapter 196.

An Act to Amend Section Sixteen of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Salary of State Treasurer.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 16, relating to salary of state treasurer.** Chapter one hundred seventeen, section sixteen, is hereby amended by inserting in the second line thereof between the word "thousand" and the word "dollars," the words 'five hundred' and by inserting after the word "dollars" in the second line the words 'and the said two thousand five hundred dollars shall be appropriated each year beginning with the year nineteen hundred seventeen and paid to the state treasurer and charged to the appropriation for his department', so that said section as amended shall read as follows:

**'Sec. 16. Increased from \$2,000 to \$2,500; authority for appropriation.** The treasurer of state shall receive an annual salary of two thousand five hundred dollars, and the said two thousand five hundred dollars shall be appropriated each year beginning with the year nineteen hundred seventeen and paid to the state treasurer and charged to the appropriation for his department; he shall receive no other fee, emolument or perquisite.

The chief clerk in the office of the treasurer of state shall be designated as "deputy treasurer of state" and shall receive an annual salary of eighteen hundred dollars.'

Approved April 6, 1917.

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## Chapter 197.

An Act to Create a State Department of Health.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. State department of health created—composition.** There is hereby created a state department of health which shall exercise all the powers and perform the duties now conferred and imposed by law upon the state board of health. The state department of health shall consist of a commissioner of health and a public health council. There shall also be directors

of divisions, district health officers, and other employees as hereinafter provided.

**Sec. 2. Headquarters; department to furnish own supplies.** The headquarters of the department shall be at Augusta and suitable rooms for offices and laboratories shall be provided by the state for the use of the department. The department shall furnish its own supplies and equipment out of the fund hereinafter provided for its use.

**Sec. 3. Commissioner of health; appointment, qualifications, tenure of office, duties, etc.** The commissioner of health shall be appointed by the governor with the advice and consent of the council and he shall be a physician skilled in sanitary science and experienced in public health administration. The term of office of the commissioner of health shall be six years and he shall devote his entire time to his official duties. The commissioner of health shall be the administrative head of the state department of health and his powers and duties shall be to administer the laws relative to health and sanitation and the regulations of the department; to prepare rules and regulations for the consideration of the public health council; and with the advice of the public health council to appoint and remove directors of divisions, district health officers, inspectors and other necessary employees and to fix their compensation within the limitations of the appropriation therefor. The commissioner of health shall submit annually to the public health council a report containing recommendations in regard to health legislation; and he shall perform all executive duties now required by law of the state board of health and such other duties as are incident to his position as chief executive officer. He may direct any executive officer or employee of the state department of health to assist in the study, suppression or prevention of disease in any part of the state. The commissioner of health may be removed by the governor with the advice and consent of the council for cause shown at a hearing.

**Sec. 4. Public health council, membership and qualifications, tenure of office, vacancies, etc.; meetings and duties.** The public health council shall consist of the commissioner of health and four other members hereinafter called the appointive members, at least two of whom shall be physicians and who shall be appointed by the governor with the advice and consent of the council. Of the members first appointed one shall hold office until the first day of May in the year nineteen hundred eighteen, one until the first day of May in the year nineteen hundred nineteen, one until the first day of May in the year nineteen hundred twenty, and one until the first day of May in the year nineteen hundred twenty-one, and the terms of office of the said members thereafter appointed except to fill vacancies shall be four years. Vacancies shall be filled by appointment of the governor with the advice and consent of the council for the unexpired term. The public health council shall meet at least once in each month and at such other times as they shall determine by their rules, or upon the request of any three members, or upon request of the commissioner of health. It shall be the duty of the public health council to make and promulgate rules and regulations in furtherance of the public health law; to consider plans and ap-

**CHAP. 197**

pointments required by law; to submit annually to the legislature through the governor a report, including recommendations as to needed health legislation; and to discharge other duties required by law, but it shall have no administrative or executive functions.

**Sec. 5. Divisions; number, how regulated; directors, how appointed; duties.** There shall be in the state department of health such divisions as the commissioner of health may, with the approval of the public health council, from time to time determine. The commissioner of health shall appoint and may remove, with the advice of the public health council, a director to take charge of each division and shall prescribe the duties of such directors of divisions.

**Sec. 6. State to be divided into health districts; district health officers appointed by commissioner, qualifications and duties.** The commissioner of health, with the advice of the public health council, shall from time to time, divide the state into three or more health districts and shall appoint and may remove district health officers for each district. The district health officers shall not be engaged in any other occupation and shall give their entire time to the performance of their duties. The commissioner of health may order two or more of said district health officers to work in one district in order to study, suppress or prevent disease. Each district health officer shall, under the direction of the commissioner of health, perform such duties as may be prescribed by the commissioner of health and shall act as the representative of the commissioner of health and under his direction shall secure the enforcement within his district of the public health laws and regulations. Said district health officers shall be graduates of an incorporated medical school and admitted to practice medicine in this state, or shall have been certified in public health by a reputable institution of collegiate grade.

**Sec. 7. Salaries.** The commissioner of health shall receive an annual salary of four thousand dollars. The appointive members of the public health council shall receive five dollars per day while in conference and their necessary traveling expenses while in the performance of their official duties. The compensation of directors of divisions and of the district health officers shall be fixed by the commissioner of health, and shall not exceed twenty-five hundred dollars per year.

**Sec. 8. Annual appropriation of \$30,000.** The sum of thirty thousand dollars shall be annually appropriated for the purposes of the state department of health.

**Sec. 9. Individual to select own physician.** Nothing in this act shall be construed to empower or authorize the state department of health or its representative to interfere in any manner with the individual's right to select the physician or mode of treatment of his choice, providing that sanitary laws, rules and regulations are complied with.

**Sec. 10. Inconsistent statutes repealed; penalties continued in force.** All acts and parts of acts inconsistent herewith are hereby repealed, but it

## CHAP. 198

is expressly provided that all penalties now provided by law for the violation of the public health laws and regulations shall continue in force.

Approved April 6, 1917.

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## Chapter 198.

**An Act to Amend Section Twenty-four of Chapter Fifty-eight of the Revised Statutes, Relating to Unclaimed Baggage and Merchandise Transported by Street Railways.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 58, § 24, relating to the application of certain statutes concerning steam railroads to street railroads, amended.** Section twenty-four of chapter fifty-eight of the revised statutes is hereby amended by inserting between the word "fifty-seven," in the fifth line thereof, and the word "shall," in the sixth line thereof, the following: 'and sections seventeen and eighteen of chapter fifty-nine', so that section twenty-four as amended shall read as follows:

**'Sec. 24. R. S., c. 59, § 17 and § 18, relating to unclaimed baggage made applicable to street railroads.** So far as applicable the provisions of sections twenty-nine to forty-seven, both inclusive, sections forty-eight, fifty-one, fifty-two, fifty-three and fifty-four of chapter fifty-six, and sections eight, nine, ten, twenty-two to twenty-five, both inclusive, twenty-eight, twenty-nine, fifty-four, sixty-four and sixty-five of chapter fifty-seven, and sections seventeen and eighteen of chapter fifty-nine, shall apply to street railroads.'

Approved April 6, 1917.

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## Chapter 199.

**An Act to Amend Section Seventeen of Chapter One Hundred and Seventeen of the Revised Statutes, Increasing the Salary of the State Auditor.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 17, relating to state auditor's office, amended.** Section seventeen of chapter one hundred and seventeen of the revised statutes is hereby amended by striking out in the first and second lines of said section the words "two thousand five hundred dollars" and inserting in lieu thereof the words "three thousand dollars, and the said three thousand dollars shall be appropriated each year beginning with the year nineteen hundred seventeen and paid to the state auditor and charged to the appropriation for his department,' so that said section as amended shall read as follows:

**'Sec. 17. Salary increased from \$2,500 to \$3,000; authority for appropriation—retroactive.** The state auditor shall receive an annual salary of three thousand dollars, and the said three thousand dollars shall be appropriated each year beginning with the year nineteen hundred seventeen:

**CHAP. 200**

and paid to the state auditor and charged to the appropriation for his department. He may employ in his department one permanent clerk at a salary of twelve hundred dollars a year, and such additional assistants as the governor and council may approve, and as may be necessary for the dispatch of public business.

The state auditor shall appoint a superintendent of public printing, as provided in section thirty-seven of chapter three, whose appointment shall be approved by the governor and council. He shall receive an annual salary of fifteen hundred dollars.'

Approved April 6, 1917.

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## Chapter 200.

An Act to Amend Section Thirteen of Chapter One Hundred and Thirty-two of the Revised Statutes, Providing for an Increase in the Number of Licensed Detectives.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 132, § 13, relating to state detectives, amended.** Section thirteen of chapter one hundred thirty-two of the revised statutes is hereby amended by striking out the words "twenty-five" in the second line of said section and inserting in place thereof the word 'thirty-five', so that said section as amended shall read as follows:

**'Sec. 13. Maximum number increased from twenty-five to thirty-five.** The governor, with the advice of the council, may license not exceeding thirty-five licensed detectives for the detection, prevention and punishment of crime, to serve for the term of four years, unless such license is sooner revoked for cause. Each person so licensed shall give bond in the sum of five hundred dollars, with two sureties, approved by the governor and council, conditioned for the proper discharge of the services which he may perform by virtue of such license; but nothing herein contained shall be construed to confer on any person so licensed, any of the power and authority of sheriffs or police officers, except in cases of felonies and offenses under chapter one hundred and twenty-two and the first twelve sections of chapter one hundred and twenty-seven. No person so licensed shall advertise or represent himself as a state detective, under penalty of the forfeiture of his license and a fine not to exceed twenty dollars, to be recovered upon complaint.'

Approved April 6, 1917.

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## Chapter 201.

An Act to Amend Section One of Chapter Thirty-four of the Revised Statutes, Relating to the Term of Office of the Commissioner of Agriculture.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 34, § 1, relating to state department of agriculture, amended.** Section one of chapter thirty-four of the revised statutes is hereby amended by striking out the second sentence thereof and inserting in its place

the following: 'A commissioner of agriculture shall be elected by the legislature by joint ballot of the senators and representatives in convention, and shall hold his office for the term of four years and until his successor is elected and qualified,' and said section is further amended by adding at the end thereof the following: 'This act shall take effect January first, nineteen hundred nineteen,' so that said section as amended shall read as follows:

**'Sec. 1. Term of commissioner increased from two to four years.** A state department of agriculture shall be maintained for the improvement of agriculture and the advancement of the interests of husbandry. A commissioner of agriculture shall be elected by the legislature by joint ballot of the senators and representatives in convention, and shall hold his office for the term of four years and until his successor is elected and qualified. He shall give bond in the sum of ten thousand dollars to the state, with sufficient sureties, or with a surety company authorized to do business in the state, as surety, to be approved by the treasurer of state, conditioned to faithfully account for all moneys received and disbursed by him as said commissioner. This act shall take effect January first nineteen hundred nineteen.'

Approved April 6, 1917.

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## Chapter 202.

An Act to Amend Section Nine of Chapter Twenty-nine of the Revised Statutes, Prohibiting the Treatment of Army and Navy Veterans as Paupers.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 29, § 9, relating to soldiers and sailors not being treated as paupers, amended.** Section nine of chapter twenty-nine of the revised statutes is hereby amended by inserting in the fifth line of said section between the word "name" and the word "and" the following: 'And no pensioner of the United States Army, Navy or Marine Corps, who is a bona fide resident of the State of Maine and enlisted therefrom, who has been honorably discharged from the service of the United States for disability contracted while in the line of duty, and been duly pensioned therefor', so that said section as amended shall read as follows:

**'Sec. 9. Provisions made to include all pensioners of U. S. army, navy or marine corps, discharged for disability.** No soldier or sailor who served by enlistment in the army or navy of the United States, in the war of eighteen hundred and sixty-one, or in the war with Spain, and who has received an honorable discharge from all enlistment in said service, whether in his own proper name or an assumed name and no pensioner of the United States Army, Navy or Marine Corps, who is a bona fide resident of the State of Maine and enlisted therefrom, who has been honorably discharged from the service of the United States for disability contracted while in the line of duty, and been duly pensioned therefor, and who has or may become dependent upon any town, shall be considered a pauper, or be

## CHAP. 203

subject to disfranchisement for that cause; but the time during which said soldier or sailor is so dependent, shall not be included in the period of residence necessary to change his settlement; and overseers of the poor shall not have authority to remove to, or support in, the poorhouse, any such dependent soldier or sailor or his family; the word "family" here used shall be held to include the soldier or sailor, his wife, his unmarried minor children living with him and dependent upon him for support, and such other unmarried children of his dependent upon him for support, who by reason of mental incapacity or physical disability are unable to provide for themselves; but the town of his settlement shall support them at his own home in the town of his settlement or residence, or in such suitable place other than the poorhouse, as the overseers of the town of his settlement may deem right and proper. In case of violation of this section the overseers of the poor shall be subject to a fine of twenty-five dollars. And for every day they allow them to remain in such poorhouse, after reasonable notice, they shall be subject to a further fine of five dollars a day, to be recovered by complaint or indictment. This section shall not be so construed as to deprive overseers of the poor of any right to remove and support such dependent soldier or sailor and his family in the town of his settlement as herein provided.'

Approved April 6, 1917.

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## Chapter 203.

An Act to Amend Section Ten of Chapter One Hundred Thirty-seven of the Revised Statutes, Relating to the Appointment of Probation Officers.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 137, § 10, relating to probation officers, amended.** Section ten of chapter one hundred thirty-seven of the revised statutes is hereby amended by striking out the words, "shall, on recommendation of the county commissioners of any county, appoint therein," in the the second and third lines of said section, and inserting in place thereof the words, 'shall appoint in any county of the state where in his judgment such appointment is advisable,' so that said section as amended shall read as follows:

**'Sec. 10. Governor to appoint; recommendation of county commissioners not necessary.** The governor, by and with the consent of the council, shall appoint in any county of the state where in his judgment such appointment is advisable, one probation officer, who shall be a male citizen of the county in which he is appointed and of good moral character; he shall hold office during the pleasure of such governor and council, and shall receive as his compensation such sum as the county commissioners of his county shall fix, which shall be paid from the county treasury in equal monthly instalments. The county commissioners of such county shall at their next session after such appointment by the governor, determine and fix the amount of such compensation, which shall not be diminished during the term of office of a probation officer, but may be increased if it seems just to the county commissioners so to do. In addition to such compensa-



## CHAP. 204

tion, each probation officer shall receive monthly such sums as he has reasonably and properly paid for his expenses incurred in the performance of his duty; each probation officer shall on or before the last day of each month submit under oath to the county commissioners in his county an itemized statement of such expenditures. If in any county it seems to the governor and council necessary to have more than one probation officer, the governor, by and with the consent of the council, may appoint one or more associates, who shall have all the authority under the direction of the probation officer which such probation officer has, and who shall receive for compensation and expenses such sum as the county commissioners in his county shall deem just and proper.'

Approved April 6, 1917.

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## Chapter 204.

An Act Authorizing the Treasurer of State to Negotiate a Temporary Loan.

*Be it enacted by the People of the State of Maine, as follows:*

**Temporary loan by state.** The treasurer of state is authorized, in any year in which he and the governor and council may deem the same necessary, to negotiate a temporary loan, as provided by article nine, section fourteen, of the constitution of Maine. There is hereby appropriated for any year in which the treasurer of state and the governor and council may deem it necessary to borrow as aforesaid, the sum of three hundred thousand dollars. The treasurer of state and the governor and council are hereby authorized and directed whenever they shall judge that the state of the treasury will permit without prejudice to other necessary purposes, to pay any or all of such loan.

Approved April 6, 1917.

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## Chapter 205.

An Act to Provide for the Establishment of Polling Districts in Towns.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Division of towns into polling districts, procedure and regulations.** The municipal officers of any town may by written order to be filed with and recorded by the town clerk sixty days at least before the first election to which said order shall apply, divide the town into two or more polling districts. Such order shall define the limits of such polling districts and designate polling places for each. Immediately upon recording such order the town clerk shall post copies thereof in not less than two public and conspicuous places in each such district. Such order shall continue in force and apply to all except municipal elections until altered or repealed by a subsequent order to be recorded and posted in like manner. Municipal officers shall at least ten days before any election appoint a presiding officer,

**CHAP. 206**

who may be one of their number, and a clerk, for each such district other than the one voting at the place where town meetings are held, in which district the election shall be conducted by the appropriate town officers as though no other districts existed; in other districts the district officers appointed as above provided shall perform the duties otherwise devolving upon the corresponding town officers, and election returns made up by them shall immediately be delivered to the town clerk together with all ballots in their possession. The municipal officers of any town which has been so divided shall in the manner provided for by law prepare check lists of the qualified voters for each of said polling districts in lieu of the check lists now provided by law, for the entire town, to be used as provided by law and all provisions of law applicable to check lists and their use in towns shall apply to check lists for such polling districts.

**Sec. 2. R. S., c. 7, § 12, relating to division of towns and wards of cities, repealed.** Section twelve of chapter seven of the revised statutes is hereby repealed.

**Sec. 3. Dependent upon acceptance of constitutional amendment.** This act shall take effect whenever by reason of any amendment to section sixteen of article nine of the constitution it shall become consistent therewith.

Approved April 6, 1917.

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## Chapter 206.

An Act to Amend Section Eighty-three of Chapter Fifty-three of the Revised Statutes, Relating to Term of Office of Insurance Commissioner.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 53, § 83, relating to insurance commissioner, amended.** That section eighty-three of chapter fifty-three of the revised statutes be amended by striking out the word "three" in the third line of the section and inserting in place thereof the word 'four' and by striking out in the third and fourth lines of the section the words "unless sooner removed", and inserting in their place the following: 'and until his successor has been appointed and qualified', so that said section, as amended, shall read as follows:

**'Sec. 83. Term changed from three to four years; to serve until successor is appointed and qualified.** An insurance commissioner, whose office shall be at the state capitol, shall be appointed by the governor and council, and shall hold his office for four years, and until his successor has been appointed and qualified, but shall not at the same time be bank commissioner. He may administer oaths in the performance of his official duties, in any part of the state and at any time. He shall keep a correct account of all his doings, and of all fees and moneys received by him by virtue of his office, pay over the same to the treasurer of state quarterly and at the same time settle his account with the governor and council. He shall

give bond to the treasurer, in the sum of five thousand dollars, for the faithful discharge of his duties. He may with the approval of the governor and council, appoint and with their consent remove, a deputy commissioner who by virtue of such appointment, shall be and perform the duties of chief clerk of the department. In the event of a vacancy in the office of commissioner or during the absence or disability of that officer, the deputy commissioner shall perform the duties of the office.'

**Sec. 2. Not to apply to present incumbent.** Nothing contained in this act shall effect, modify, or control the term of the present incumbent, but this act shall effect and control the term of any incumbent of said office appointed after the date of the approval of this act.

Approved April 6, 1917.

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## Chapter 207.

An Act to Amend Section Twenty-four of Chapter Forty-eight of the Revised Statutes, Relating to Testing Commodities Offered for Sale, as to Weight and Measure.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 48, § 24, relating to false scales or measures, amended.** Section twenty-four of chapter forty-eight of the revised statutes is hereby amended by adding thereto the following words:

'A sealer, or his duly appointed deputy may examine commodities sold or offered for sale and test them for correct weight, measure or count, and bring complaint for violations of sections eight to twenty-five, both inclusive, of this chapter. He, or his duly appointed deputy may for the purpose stated above, and in the general performance of his or their official duties, have access without formal warrant to any stand, place, building or premises, or to any sales slip, record of sale, or weight slip, or may stop any vendor, peddler, junk dealer, coal wagon, ice wagon, or any person for the purpose of making the proper tests. Any person refusing to exhibit any sales slip, record of sale, or weight slip in his possession, or to allow proper tests for correct weight, measure or count, or refusing to proceed to a proper and convenient place for the making of any such test, shall be punished by a fine not exceeding ten dollars,' so that said section, as amended shall read as follows:

**'Sec. 24. Sealer or his deputy may examine commodities sold or offered for sale; may stop coal or ice wagon, or any vendor, for purpose of making test.** Whoever by himself, or by his servant, or as the agent or servant of another, shall use or retain in his possession any false scales, weight or measure or weighing or measuring device in the buying or selling of any commodity or thing, or whoever after a weight, measure, scale, balance or beam has been adjusted and sealed, shall alter it so that it does not conform to the public standard and shall fraudulently make use of it, or whoever shall dispose of any condemned scales, weight, measure, or weighing

**CHAP. 208**

or measuring device, contrary to law, or remove any tag, stamp or mark placed thereon by the sealer; or whoever by himself, or by his agent or servant, or as agent or servant of another, shall sell, offer or expose for sale less than the quantity he represents, or whoever by himself, or by his agent or servant, or as the agent or servant of another, shall sell, offer for sale, or have in his possession for the purpose of selling, any false scales, weight or measures, or any device or instrument to be used or calculated to falsify any weight or measure, shall be guilty of a misdemeanor and shall for the first offense be punished by a fine of not more than fifty dollars; for the second offense by a fine of not less than twenty, nor more than two hundred dollars, and for any subsequent offense by a fine of fifty dollars and by imprisonment for not less than thirty, nor more than ninety days. The possession or use by any person of any false weight, measure or other apparatus for determining the quantity of any commodity or article of merchandise is presumptive evidence of knowledge by such person of the falsity of such weight, measure or other apparatus. Every sealer of weights and measures who has reasonable cause to believe that a weight, measure, scale, balance or beam has been altered since it was last adjusted and sealed shall enter the premises in which it is kept or used and shall examine the same. A sealer, or his duly appointed deputy may examine commodities sold or offered for sale and test them for correct weight, measure or count, and bring complaint for violations of sections eight to twenty-five, both inclusive, of this chapter. He, or his duly appointed deputy may, for the purpose stated above, and in the general performance of his or their official duties, have access without formal warrant to any stand, place, building or premises, or to any sales slip, record of sale, or weight slip, or may stop any vendor, peddler, junk dealer, coal wagon, ice wagon, or any person for the purpose of making the proper tests. Any person refusing to exhibit any sales slip, record of sale, or weight slip in his possession, or to allow proper tests for correct weight, measure or count, or refusing to proceed to a proper and convenient place for the making of any such test, shall be punished by a fine not exceeding ten dollars.'

Approved April 6, 1917.

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## Chapter 208.

**An Act to Amend Section One Hundred of Chapter Fifty-two of the Revised Statutes, and Increasing the Authorized Amount of Accumulated Capital of Loan and Building Associations.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 52, § 100, relating to accumulated capital of loan and building associations, amended.** Section one hundred of chapter fifty-two of the revised statutes is hereby amended by striking out the word "one" in the first line thereof and substituting the word 'two,' and by striking out the word "twenty-five" in the sixth line of said section and substituting therefor the word 'fifty,' so that said section as amended shall read as follows:

**'Sec. 100. May increase capital to two million; individual holder may acquire fifty shares.** The capital to be accumulated shall not exceed two million dollars, and shall be divided into shares of the ultimate value of two hundred dollars each. The shares may be issued in quarterly, half yearly, or yearly series, in such amounts and at such times as the members may determine. No person shall hold more than fifty shares in the capital of any such association. No shares of a prior series shall be issued after the issue of a new series.'

Approved April 6, 1917.

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## Chapter 209.

An Act Additional to Chapter One Hundred Twenty-seven of the Revised Statutes Relating to the Enforcement of the Laws against the Sale of Intoxicating Liquors.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 127, relating to gambling, sale of intoxicating liquors, etc., amended.** Chapter one hundred twenty-seven of the revised statutes is hereby amended by adding thereto the following sections:

**'Sec. 55. Express companies, etc. to require receipt from consignee or agent, before delivery of intoxicants; penalty for violation.** It shall be unlawful for any transportation company, express company, corporation or individual to deliver any intoxicating liquors at any place other than the regular place of business of said company or individual or to deliver any intoxicating liquors to any person, firm or corporation other than the person, firm or corporation to whom it has been consigned, unless upon the written order in each instance of the bona fide consignee, or to any fictitious person, or to any person under a fictitious name; and in all cases, before delivery is made, said company or individual shall require the consignee, or his agent, in each instance duly authorized thereto in writing, personally to sign a receipt in a book kept for such purpose, which said receipt shall reveal the name of the person to whom the liquors were shipped, the amount and kind and the date when delivered and the persons by whom and to whom delivered, except that in case of partnership and corporations, a partner or duly authorized officer of the corporation may receipt for liquors consigned to their principals, and the book of receipts above described shall be kept permanently in such places of business and shall be open to inspection by any state, county or municipal officer during regular business hours, and such book shall constitute prima facie evidence of the facts therein stated and be admissible as evidence in any court in this state having jurisdiction over offenses named in this chapter and chapter twenty-three of the revised statutes. Any officer of any transportation company or express company or any other person who knowingly delivers intoxicating liquors contrary to the provisions hereof shall be punished by a fine of not less than one hundred nor more than five hundred dollars and costs and be imprisoned for not less than two nor more than six months and in default of payment of said fine and costs he shall be imprisoned six months additional. Any person who knowingly receipts for any intoxicating liquors

**CHAP. 210**

contrary to the provisions of this section shall be guilty of forgery and shall be punished by imprisonment for not less than two months.'

**'Sec. 56. Penalty for loitering about streets or buildings, with intoxicating liquor about person.** No person shall loiter on or about the streets and highways or in or about any building or place of business in this state with intoxicating liquors about his person. Whoever violates this section shall be fined one hundred dollars and costs and be imprisoned thirty days, and in default of payment of said fine and costs, he shall be imprisoned sixty days additional.'

**'Sec. 57. All liquors with alcohol as an ingredient to be plainly labeled showing percentage, etc.; penalty for violation.** All ale, beer and other liquors kept for sale in this state of which alcohol is an ingredient or constituent part, shall be plainly labeled by having conspicuously affixed on the vessels in which they are contained, a paper label showing in print the percentage of alcohol contained in said liquors. Any liquors not so labeled shall be deemed to be intoxicating liquors within the meaning of the statute, shall be subject to seizure and shall be disposed of in the manner provided for disposing of intoxicating liquors. Any person who keeps and offers for sale any such liquors not so labeled shall be subject to a fine of one hundred dollars and costs and be imprisoned for not less than two nor more than six months, and in default of payment of said fine and costs he shall be imprisoned six months additional.'

Approved April 6, 1917.

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## Chapter 210.

An Act to Amend Section Thirty-three of Chapter Nine of the Revised Statutes, Increasing the Taxation of Owners of Parlor Cars.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 9, § 33, relating to taxation of owners of parlor cars, amended.** Section thirty-three of chapter nine of the revised statutes is hereby amended by striking out the word "six" in the fifth line of said section, and inserting in place thereof the word 'nine' so that said section as amended shall read as follows:

**'Sec. 33. Tax increased from six to nine per cent of gross receipts.** Every corporation or person owning or operating parlor or other cars for which extra compensation is charged for riding therein over any of the railroads of the state shall annually on the first day of September, pay to the treasurer of state for the use of the state an annual excise tax for the privilege of exercising its franchise in the state, equal to nine per cent of its or his gross receipts from business done wholly in the state, for the year ending June thirtieth next preceding.'

Approved April 6, 1917.

## Chapter 211.

An Act to Amend Section fifty-one of Chapter Eighty-two of the Revised Statutes, Relating to Trial List of Supreme Judicial Court for Aroostook County.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 82, § 51, relating to trial courts, amended.** Section fifty-one of chapter eighty-two of the revised statutes is hereby amended by adding to the third paragraph thereof, the following words: 'At each term of which the court shall place upon the trial list and hear only such civil actions pending in said court as may be more conveniently tried at that term, except that by agreement of attorneys interested other cases may be placed upon such trial list,' so that said third paragraph as amended shall read as follows:

**'Trial of civil actions in Aroostook county.** Aroostook, at Houlton, on the third Tuesdays of April and November, for civil and criminal business, and at Caribou on the first Tuesdays of February and September for civil business only; at each term of which the court shall place upon the trial list and hear only such civil actions pending in said court as may be more conveniently tried at that term, except that by agreement of attorneys interested other cases may be placed upon such trial list.'

Approved April 6, 1917.

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## Chapter 212.

An Act to Amend Section Seventy-eight of Chapter Four of the Revised Statutes Relative to State Stipend for Public Libraries.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 4, § 78, relating to state stipend for public libraries, amended.** Section seventy-eight of chapter four of the revised statutes is hereby amended by striking out the words "state auditor" in the third line thereof and substituting in place thereof the words, 'Maine Library Commission,' and by inserting after the word "thereof" in the seventh line the words 'the commission may certify as to grade and quality of service performed by the library;' and by striking out the words "equal to ten per cent" in the ninth line thereof and substituting in place thereof the words 'not less than seven per cent nor more than ten per cent,' and by adding at the end of said section the following: 'provided that no town shall receive annually more than five hundred dollars,' so that said section as amended shall read as follows:

**'Sec. 78. Certification of grade to be made to library commission, instead of auditor; state stipend to be not less than seven per cent nor more than \$500 annually.** The municipal officers in any town or city, and the assessors of any village corporation where a free public library is established, shall annually, on the first day of May, certify to the Maine Library

**CHAP. 213**

Commission the amount of money appropriated and expended by said town, city or village corporation during the preceding year, for the purchase of books and documents for the use and benefit of such free public library, and for the payment of the running expenses thereof; the commission may certify as to grade and quality of service performed by the library; and the governor, with the advice and consent of the council, shall draw a warrant on the treasurer of state for the purchase of books for the use of such library, for a sum not less than seven per cent. nor more than ten per cent. of the amount expended by said town or village corporation as certified by its municipal officers or assessors, provided that no town shall receive annually more than five hundred dollars.'

Approved April 6, 1917.

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## Chapter 213.

An Act to Amend Sections Sixteen, Thirty-eight, Thirty-nine and Forty of Chapter Twenty-six of the Revised Statutes, Relating to the Operation of Motor Vehicles.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 26, § 16, relating to regulation of speed of automobiles, amended.** Section sixteen of chapter twenty-six of the revised statutes is hereby amended by inserting after the word "removal" in the last line of said section, the following: 'Any person arrested for violation of any of the speed regulations of this chapter except those of sections thirty-eight and thirty-nine, shall be given an immediate trial, if he shall so demand of the officer making the arrest, but if for any reason it is impracticable to do so, the officer making the arrest shall immediately take the prisoner before some bail commissioner, who before admitting him to bail, shall require him to give his name, his place of residence, the number of his license to operate a motor vehicle, and the registration number of the motor vehicle operated at the time of his arrest, and shall make a record thereof on the bail bond, and may take his personal recognizance for his appearance in court on a specified day, not later than two days thereafter. If such person fails to appear in court on the day specified, either in person or by counsel, the court shall notify the secretary of state, who, in case the person is a resident of the state, shall immediately revoke his license, and also annul the registration of the motor vehicle driven by such person when arrested; and in case the person is a non-resident, or said motor vehicle is registered by some other state or country, all rights of said person to operate in this state, or of the owner of said vehicle to have the same operated in this state shall forthwith terminate', so that said section as amended shall read as follows:

**'Sec. 16. Violators may be admitted to bail on personal recognizance; license of residents revoked, rights of non-residents terminated for default.** The rate of speed upon any highway, town way, public street, avenue, driveway, park or parkway, by any person operating a motor vehicle in this state shall not be greater than twenty-five miles an hour in open coun-



try outside of cities and villages, and within the compact or built up portions of any city, town or village, not greater than fifteen miles an hour. The compact or built up portion of any city, town or village shall mean the territory of a city, town or village contiguous to any way, which is built up with structures devoted to business, or where the dwelling houses are situated less than one hundred fifty feet apart for a distance of at least one quarter of a mile. No person shall be convicted of exceeding the rate of speed hereby established for any compact or built up portions, unless said city, town or village shall cause the words "Speed Limit, Fifteen Miles" to be conspicuously displayed on sign boards along each highway, town-way, public street, driveway or parkway, and such other signs as will clearly designate such compact or built up portion. No person shall be convicted of exceeding in the open country, outside of cities and villages, the rate of speed hereby established unless the average speed for at least one-half mile exceeds the rate of twenty-five miles per hour. No municipal officer or other person shall erect or cause to be erected speed limit signs contrary to those contemplated by this section and if any such signs now exist the municipal officers of cities and towns shall cause their removal. Any person arrested for violation of any of the speed regulations of this chapter, except those of sections thirty-eight and thirty-nine, shall be given an immediate trial, if he shall so demand of the officer making the arrest, but if for any reason it is impracticable to do so, the officer making the arrest shall immediately take the prisoner before some bail commissioner, who before admitting him to bail, shall require him to give his name, his place of residence, the number of his license to operate a motor vehicle, and the registration number of the motor vehicle operated at the time of his arrest, and shall make a record thereof on the bail bond, and may take his personal recognizance for his appearance in court on a specified day, not less than two days thereafter. If such person fails to appear in court on the day specified, either in person or by counsel, the court shall notify the secretary of state, who, in case the person is a resident of the state, shall immediately revoke his license, and also annul the registration of the motor vehicle driven by such person when arrested; and in case the person is a non-resident, or said motor vehicle is registered by some other state or country, all rights of said person to operate in this state, or of the owner of said vehicle to have the same operated in this state, shall forthwith terminate.'

**Sec. 2. R. S., c. 26, § 38, relating to reckless driving, amended.** Section thirty-eight of chapter twenty-six of the revised statutes is hereby amended by striking out all of said section, and by enacting the following in the place thereof:

**'Sec. 38. Provisions as to conviction before revocation of license repealed.** Whoever operates a motor vehicle upon any way, recklessly, or while under the influence of intoxicating liquor, so that the lives or safety of the public are in danger, or upon a bet, wager or race, or for the purpose of making a record, thereby violating the speed regulations, or whoever goes away without stopping and making himself known after causing injury to any person or property, or uses a motor vehicle with-

**CHAP. 218**

out authority from its owner, shall be punished by a fine of not more than fifty dollars, or by imprisonment for a term of three months, or by both fine and imprisonment, and if any person be convicted the second time for a violation of this section, he shall be punished by a fine of one hundred dollars, or by imprisonment for not less than six months, and not more than one year'.

**Sec. 3. R. S., c. 26, § 39, relating to penalty for reckless driving, amended.** Section thirty-nine of chapter twenty-six of the revised statutes is hereby amended by striking out all of said section and by enacting the following in the place thereof:

**'Sec. 39. When license is revoked, not to be reissued for three years; license suspended pending appeal.** If any motor vehicle is so driven in a reckless manner or by a person apparently under the influence of intoxicating liquor, it shall be the duty of every officer who is charged with enforcing the laws of the state, and of every citizen thereof, to report the same to the secretary of state, at once, giving the number on the number plates of the vehicle, the state registering the same, and if known, the name and residence of the operator or owner. Upon receipt of such complaint the secretary of state shall forthwith investigate the case and shall have authority to suspend the license of such operator, and also to annul the registration of the vehicle so operated, for such time as he shall deem advisable.

No person whose license to operate a motor vehicle has been revoked upon conviction of violating section thirty-eight or section thirty-nine of the chapter shall again be licensed to operate a motor vehicle in this state for three years.

If any person convicted of any violation of the provisions of this chapter shall appeal from the judgment and sentence of the trial court, his license to operate a motor vehicle in this state shall be suspended during the time his appeal is pending in the appellate court; should he operate any motor vehicle in this state during the time his license is so suspended, he shall be liable to all the penalties of law for operating a motor vehicle without a license.'

**Sec. 4. R. S., c. 26, § 40, relating to return by assessors, amended.** Section forty of chapter twenty-six of the revised statutes is hereby amended by striking out all of said section, and by enacting the following in the place thereof:

**'Sec. 40. Return may be made on or before May 1st; copies of R. S., c. 26, § 38 and § 39 to be printed on license. Jurisdiction.** Assessors of cities, towns and plantations, shall annually, on or before the first day of May, make return to the secretary of state of all persons owning motor vehicles as appears by their assessment books.

A copy of sections thirty-eight and thirty-nine shall be printed on every operator's license.

Municipal and police courts and trial justices in their respective counties shall have concurrent jurisdiction with the supreme judicial and superior courts over all prosecutions for all violations of the provisions of this chapter.'

## Chapter 214.

An Act to Amend Section Seven of Chapter Thirty-eight of the Revised Statutes, Relating to Licenses of Agents and Dealers in Nursery Stock.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 38, § 7, relating to licensing of dealers in nursery stock, amended.** Section seven of chapter thirty-eight of the revised statutes is hereby amended by striking out the word "growers" in the first line of said section and inserting in place therefor the words 'those growing all the nursery stock they sell' and inserting between the word "stock" and the word "fees" in the fourteenth line of said section the following words: 'Each separate agent and each separate store acting under a general agent or store must have a license as provided in this section,' so that said section as amended shall read as follows:

**'Sec. 7. Each separate agent, acting under general agent, must be licensed; growers to be licensed when not raising all stock they sell.** No person, firm or corporation, excepting those growing all the nursery stock they sell, shall engage in, continue in, or carry on the business of selling or dealing in nursery stock, or solicit purchases of nursery stock within this state, either as owner thereof, or as agent of such owner, without first obtaining a license to carry on and conduct such business in this state. The form of license shall be prescribed by the state horticulturist, and the licenses shall be issued by him upon proper application therefor, and shall be in force one year from date of issue. The license fee shall be five dollars a year for agents, dealers, salesmen or solicitors. The license shall be issued in the name of the dealer, solicitor, salesman or agent, as the case may be, and no license shall be assigned or transferred. Licenses of salesmen, dealers, agents or solicitors shall show the name and location of nursery and place of business of the nurserymen or tree dealers whom they represent or from whom they purchase their stock. Each separate agent and each separate store acting under a general agent or store must have a license as provided in this section. Fees obtained from such licenses shall be paid into the state treasury and added to the appropriation of the bureau of horticulture, and shall be used exclusively for the inspection of nursery stock introduced into the state from outside the state. Such license may be revoked at any time for failure to comply with the aforesaid requirements, or for such other causes as may in the opinion of the commissioner of agriculture be sufficient. Any violation of this section shall be punishable by a fine of not less than ten, nor more than fifty dollars for each offense.'

Approved April 6, 1917.

## Chapter 215.

An Act to Provide for the Payment of a Bounty on Bears Killed in the State.

*Be it enacted by the People of the State of Maine, as follows :*

**Sec. 1. Five dollar bounty for bears killed in state.** A bounty of five dollars for each and every bear killed in this state shall be paid to the person killing the same. If the animal is killed in a town or plantation, the bounty shall be paid by the treasurer thereof; if the animal is killed in an unincorporated place, the bounty shall be paid by the treasurer of an adjoining town or plantation, if any, otherwise by the treasurer of the nearest town or plantation.

**Sec. 2. Bounty to be paid by town treasurer on certificate of claimant; treasurer to certify to state.** No bounty shall be paid unless the claimant, within ten days after he has killed such animal, or has returned from the hunting, in which he killed it, exhibits to the town treasurer the entire skin of the animal for the killing of which such bounty is claimed, with the nose thereof in as perfect a state as when killed, excepting natural decay, and signs and makes oath to a certificate, which oath said treasurer may administer, in which he shall state that he killed such animal, and the time and place, showing it to be within the county; and the treasurer shall thereupon cut off the whole nose from such skin and entirely destroy it by burning; then he shall pay the bounty and take the claimant's receipt therefor upon the same paper with such certificate. The town treasurer shall immediately make upon the same paper a certificate made under oath addressed to the treasurer of state, that he first cut off the nose from the skin and destroyed it by burning, and then paid said bounty to the claimant.

**Sec. 3. State to reimburse town.** Said certificate and receipts shall be transmitted to the treasurer of state monthly, and by him laid before the governor and council as early as convenient; and when allowed by them shall be paid by the treasurer of state to such town.

**Sec. 4. Form of claimant's and town treasurer's certificates.** The certificate shall be in the following form :

### Claimant's Certificate.

To the treasurer of \_\_\_\_\_, I hereby certify that on the day of \_\_\_\_\_, A. D. 19\_\_\_\_, at \_\_\_\_\_, in the county of \_\_\_\_\_ and State of Maine, I killed the bear, the skin of which I now exhibit to you; and I claim the bounty allowed by law for killing the same.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, Claimant.

Subscribed and sworn to before me on the day and year aforesaid.  
\_\_\_\_\_, Treasurer of \_\_\_\_\_

### Claimant's Receipt.

On this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_, I received of \_\_\_\_\_, Treasurer of \_\_\_\_\_, five dollars, being the bounty allowed by law for killing the bear described in the above certificate. \_\_\_\_\_, Claimant.

### Treasurer's Certificate.

I hereby certify that as required by law, I first cut off the whole nose from the skin of the bear described in the foregoing certificate and destroyed the same by burning, and then paid the said \_\_\_\_\_, the bounty for which I have taken his receipt as above.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19 \_\_\_\_.

Subscribed and sworn to before me the day and year aforesaid.

**, Justice of the Peace.**

**Sec. 5. Bounties to be paid from dog licenses.** The bounty so paid by the state treasurer shall be taken from the fees received from the licenses of dogs, in the State of Maine.

**Sec. 6. Inconsistent statutes repealed.** All acts or parts of acts inconsistent with the provisions hereof are hereby repealed.

**Approved April 6, 1917.**

## Chapter 216.

**An Act to Amend Section Ten of Chapter One Hundred and Seventeen of the Revised Statutes Relating to Stenographers of the Supreme Judicial Court.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 10, relating to salaries of stenographers of supreme court, amended.** Section ten of chapter one hundred seventeen of the revised statutes is hereby amended by striking out the words "fifteen hundred" in the second line thereof and inserting in place thereof the words 'eighteen hundred,' so that said section as amended shall read as follows:

**'Sec 10. Annual salary increased from \$1,500 to \$1,800. Stenographers appointed by the justices of the supreme judicial court shall receive annual salaries of eighteen hundred dollars each, in full for all services formerly chargeable to the counties. They shall also receive from the county in which the court is held, their expenses when in attendance upon court away from their place of residence, but not otherwise; a detailed statement of such expenses, actually and reasonably incurred shall be approved by the presiding justice.'**

**Approved April 6, 1917.**

## Chapter 217.

An Act to Prohibit the Carrying of Dangerous or Deadly Weapons without a License.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Threatening display of firearms or weapons.** No person shall in a threatening manner display any firearm, slung-shot, knuckles, bowie knife, dirk; stiletto or other dangerous or deadly weapon, nor shall wear under his clothes or concealed about his person any such firearm, slung-shot, knuckles, bowie knife, dirk, stiletto or other dangerous or deadly weapon unless first licensed so to do in the following manner.

**Sec. 2. Municipal officers may issue license.** The chief of police or city marshal or in his absence, either of his captains of police of any city or the selectmen of any town, may upon written application issue to any person of good moral character, a certificate setting forth that such person has complied with the requirements of this law and that he has been duly licensed to carry such weapon or weapons. Said license shall continue in effect until revoked by the chief of police or by the selectmen of the town in which said license was issued.

**Sec. 3. Exceptions.** Nothing in the foregoing section shall be construed as prohibiting the carrying or wearing of such weapons by United States marshals, sheriffs and their deputies, constables and police officers and other officers duly commissioned by the commissioners of inland fisheries and game.

**Sec. 4. Penalty for violation.** Whoever violates the provisions of this law shall be fined not less than one hundred dollars or confined in the county jail for a period not exceeding ninety days.

Approved April 6, 1917.

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## Chapter 218.

An Act to Provide for the Establishment of a Bureau of Markets.

*Be it enacted by the People of the State of Maine, as follows:*

**Methods and costs of marketing farm products, authorizing study of.** The commissioner of agriculture is hereby authorized to expend the sum of three thousand five hundred dollars annually hereafter in the study of methods and cost of marketing farm products and purchasing farm supplies, by employing agents and experts who shall work in conjunction with the Farmer's Union of Maine, the Fruit Growers' Association, and other farm organizations.

Approved April 6, 1917.

## Chapter 219.

**An Act to Revise, Collate, Arrange and Simplify the Inland Fish and Game Laws of the State, Both General and Public and Private and Special, and the Rules and Regulations of the Commissioners of Inland Fisheries and Game Now in Force.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 33, amended; certain public and private laws repealed. Exceptions enumerated.** Chapter thirty-three of the revised statutes and all public and private and special laws relating to inland fish, game and birds, and all rules and regulations of the commissioners of inland fisheries and game now in force, are hereby amended by striking out all of said chapter and by repealing all public and private and special laws relating to inland fish, game and birds, except section one hundred sixteen of chapter four of the revised statutes, sections thirty-four, thirty-five, thirty-six, thirty-eight, thirty-nine, forty and forty-one of chapter eight of the revised statutes and section eighteen of chapter twenty of the revised statutes and sections thirteen, fourteen and fifteen of chapter twenty-three of the revised statutes and section four of chapter fifty-nine of the revised statutes and section twenty-four of chapter one hundred seventeen of the revised statutes and sections three and four of chapter one hundred twenty of the revised statutes and section twenty-three of chapter one hundred twenty-four of the revised statutes as amended by chapter sixteen of the public laws of nineteen hundred seventeen and section twenty-five of chapter one hundred twenty-four of the revised statutes and chapter sixty-six of the public laws of nineteen hundred seventeen and by repealing all rules and regulations of the commissioners of inland fisheries and game now in force, and by substituting therefor the following:

### **Commissioners and Their Duties.**

**'Sec. 1. Commissioners of inland fisheries and game; appointment, tenure of office, etc.** The governor, with the advice and consent of the council, shall appoint three persons to be commissioners of inland fisheries and game, one of whom shall be the land agent of the state and shall hold the office so long as he shall continue to be land agent; the other two commissioners, one of whom shall be designated and commissioned as chairman, shall hold their offices for three years, and until their successors are appointed and qualified; the land agent shall not be eligible to the office of chairman. Said commissioners shall be provided with an office in the state capitol, with suitable furniture, stationery and other facilities for the transaction of the business of the department, and they may appoint a clerk. They may employ attorneys at trials in inferior courts for violations of the provisions of this chapter, and necessary additional clerks in their office, and may have at least three daily newspapers published in the state, to be selected by them, for use in their office, all of which shall be paid for out of the regular appropriation for their department. They shall, on or before the thirty-first day of December of each year, make an annual report to the governor.

**CHAP. 219**

**Sec. 2. Duties of commissioners.** The commissioners of inland fisheries and game shall have general supervision of the enforcement of the inland fish and game laws. Whenever they shall deem it for the best interests of the state they may regulate the times and places in which and the circumstances under which wild birds, wild animals and inland fish may be taken for a series of years not exceeding four, upon petition of at least twenty-five per cent. of the legal voters of the city, town or plantation in which the waters or lands to be affected are situated, or upon petition of a majority of the municipal officers thereof whenever in the judgment of the commissioners an emergency exists which demands immediate action, and in cases where the lands or waters to be affected are situated in unorganized townships, upon petition of at least twenty-five interested citizens of this state. Provided, however, that said commissioners shall not authorize the taking of wild birds or wild animals or inland fish at a time in which the taking thereof is prohibited by the laws of the state. They may, from time to time, modify or repeal rules and regulations promulgated by them whenever they deem it necessary for the protection and preservation of the wild birds, wild animals and inland fish of the state. They shall file in the offices of the clerks of courts in the counties to be affected a copy of the rules and regulations adopted by them, and publish the same three weeks successively in a newspaper printed in the county; they shall also, immediately upon the adoption of any rules and regulations contemplated by this section, file a copy of the same in the office of the secretary of state. They may, when they deem it necessary, post notices on the banks of waters affected by rules and regulations promulgated by virtue of this section.

**Sec. 3. Penalty for violation of rules and regulations of commissioners.** Whoever fishes for, takes, catches, kills, destroys or has in possession any protected inland fish, or hunts, chases, catches, kills, takes, destroys or has in possession any protected wild birds or wild animals, or part or parts thereof, in any manner at any time, in violation of any of the rules and regulations of the commissioners of inland fisheries and game, made and promulgated in conformity with the provisions of this chapter, shall be punished in the same manner and to the same extent as is provided by law for illegally taking, catching, killing, destroying or having in possession such protected inland fish or for illegally hunting, chasing, catching, killing, taking, destroying or having in possession such protected wild birds or wild animals.

Whoever fishes for, takes, catches, kills, destroys or has in possession any unprotected inland fish, or hunts, chases, catches, kills, destroys or has in possession any unprotected wild birds or wild animals, or part or parts thereof, in any manner at any time, in violation of any of the rules and regulations of the commissioners of inland fisheries and game, made and promulgated in conformity with the provisions of this chapter, shall be punished by a fine of not less than ten, nor more than fifty dollars and costs, for each offense.

**Sec. 4. Penalty for wilful defacement of notice of commissioners.** Whoever wilfully mutilates, defaces or destroys any notice, rule or regu-



lation of the commissioners of inland fisheries and game, posted in conformity with the provisions of this chapter, shall pay a fine not exceeding fifty dollars.

**Sec. 5. Authority of commissioners.** The commissioners of inland fisheries and game may take fish, game birds and wild animals of any kind when, where, and in such manner as they choose, for the purposes of science and of cultivation and dissemination, and they may grant written permits to other persons to take fish, game birds and wild animals for the same purposes, and may introduce or permit to be introduced, any kind of fish into any waters. They may, after a hearing, set apart, for a term not exceeding ten years, any waters for the use of the state or of the United States commissioner of fish and fisheries, in the prosecution of the work of fish culture and of scientific research relative to fishes. The order setting apart such waters shall be recorded in the registry of deeds in the county or registry district, in which they are situated. In the waters so set apart, they and the United States commissioner of fish and fisheries, and persons acting under their authority may, in their respective fish culture and scientific work, take fish at any time or in any manner, and erect and maintain any fixtures necessary for such purposes. No other person shall take or kill any fish, or use any implement for fishing therein, under a penalty of not less than ten, nor more than one hundred dollars, and a further penalty of one dollar for each fish so taken or killed; provided, however, that before such hearing the commissioners shall give notice thereof, by publication for two successive weeks in at least one newspaper printed in the county where such waters lie. They may grant permission to take wild animals and game birds for park purposes in this state, under such rules, regulations, and conditions as they shall establish. They may cause the destruction of any mink or other destructive animal or bird found in or around any fish hatchery or feeding station in this state. They may grant permits to transport in and beyond the limits of the state, live fish, wild animals or game birds taken in the state, for breeding or advertising purposes.

#### **Propagation of Game Birds and Fur Bearing Animals.**

They may issue permits to any person, firm or corporation to engage in the business of propagating game birds, game or fur-bearing animals, under such regulations as they shall establish. They may issue to any person, firm or corporation permit to fence in or enclose land not exceeding twenty-five acres in area for the above named purpose. When it appears that such application is made in good faith, and upon the payment of an annual fee of two dollars, said commissioners may issue to the applicant a breeder's license permitting the breeding and rearing of any species of game birds, game or fur-bearing animals within such enclosure. Such licensed breeders may at any time sell, transport or kill and sell, and any person, firm or corporation may purchase, have in possession or transport, any game birds, game or fur-bearing animals raised by virtue of the provisions of this section, under such regulations as said commissioners may establish.

### Fishways.

**Sec. 6. Commissioners may cause dams, etc., to be provided with fishways; owners may appeal.** They may compel the owner or occupant of every dam or other artificial obstruction above tide-water in any river or stream frequented by salmon, landlocked salmon, shad, alewives or other migratory fishes, to provide the same with a durable and efficient fishway, of such form and capacity, and in such location as may, after notice in writing to one or more of said owners or occupants and a hearing thereon, be determined by the commissioners; they shall give written notice to some owner or occupant specifying the location, form and capacity of the required fishway, and the time within which it shall be built; and said owner or occupant shall keep said fishway in repair, and open and free from obstruction for the passage of fish, during such times as are prescribed by law; provided, however, that in case of disagreement between said commissioners and the owner or occupant of any dam, as to the propriety and safety of the plan submitted to the owner or occupant of such dam for the location and construction of the fishway, such owner or occupant may appeal to the county commissioners of the county where the dam is located, within twenty days after notice of the determination from the commissioners of inland fisheries and game by giving to the latter named commissioners notice in writing of such appeal within that time, stating therein the reasons therefor; and at the request of the appellant or the commissioners of inland fisheries and game, the senior commissioners in office of any two adjoining counties shall be associated with the commissioners of the county where the dam is located; they shall appoint a time to view the premises and hear the parties and give due notice thereof, and after such hearing they shall decide the question submitted, and cause record to be made thereof, and their decision shall be final as to the plan and location appealed from. If the requirements of the commissioners of inland fisheries and game are affirmed, the appellants shall be liable for the costs arising after the appeal, otherwise they shall be paid by the county. If a fishway thus required is not completed to the satisfaction of the commissioners of inland fisheries and game within the time specified, every owner or occupant shall forfeit not more than one hundred, nor less than twenty dollars for every day of such neglect. On the completion of a fishway to the satisfaction of the commissioners of inland fisheries and game, or at any subsequent time, they shall prescribe in writing the time during which the same shall be kept open and free from obstruction to the passage of fish each year, and a copy of such writing shall be served on the owner or occupant of the dam. The commissioners of inland fisheries and game may change the time as they see fit. Unless otherwise provided, fishways shall be kept open and unobstructed from the first day of May to the fifteenth day of July. The penalty for neglecting to comply with this section, or with any regulations made in accordance herewith, is not less than twenty, nor more than one hundred dollars for every day of such neglect.

**Sec. 7. Fishways to be kept in repair; proceedings when owner fails to comply with order of commissions.** Whenever the commissioners of inland fisheries and game find a fishway out of repair or needing alterations, they

may, as in the case of new fishways, require the owner or occupant to make such repairs or alterations; and all proceedings in such cases and the penalty for neglect shall be as provided in the preceding section without appeal. If the dam is owned and occupied by more than one person, each is liable for the cost of erecting and maintaining such fishway, in proportion to his interest in the dam, and if any owner or occupant neglects or refuses to join with the others in erecting or maintaining such fishway, the other owners or occupants shall erect or repair the same, and have an action on the case against such delinquent for his share of the expenses. If the owner or occupant of such dam resides out of the state, said penalties may be recovered by a libel against the dam and land on which it stands, filed in the supreme judicial court in the county where it is located, in the name of the commissioners of inland fisheries and game or of any inland fish and game warden or deputy inland fish and game warden who shall give to such owner or occupant, and all persons interested therein, such notice as the court or any justice thereof in vacation orders, and the court may render judgment therein, against said dam and lands for said penalties and costs, and order a sale thereof to satisfy such judgment and costs of sale, subject, however, to all said requirements for the erection and maintenance or repair of said fishway. The commissioners of inland fisheries and game may delegate to any inland fish and game warden or other lawful officer of inland fisheries and game any of the powers given to said commissioners in relation to the construction of fishways.

### **Fish Hatcheries.**

**Sec. 8. Real estate may be taken for fish hatcheries.** The commissioners of inland fisheries and game for the location, construction, repair and convenient operation of a fish hatchery or fish hatcheries and feeding stations for fish may purchase, lease or take and hold, for and in behalf of the state, as for public uses, land and all materials in and upon it or any rights necessary for the purpose of establishing, erecting and operating fish hatcheries. For real estate so taken, the owners are entitled to damages, to be paid by the state and estimated by the county commissioners, on written application of either party, made within one year after filing the location as hereinafter provided, or if proceedings thus commenced fail for causes not affecting the merits, new ones may be commenced within one year thereafter. When the commissioners of inland fisheries and game deem that a public exigency requires the taking of any land or rights for the purposes aforesaid, they shall cause the same to be surveyed, located, and so described that the same can be identified, and a plan thereof shall be filed in the registry of deeds in the county, or registry district, where the land or rights are located, and there recorded. The filing of such plan and description shall vest the title to the land and right aforesaid, in the State of Maine, or its grantees, to be held during the pleasure of the state. Either party if aggrieved by a decision of the county commissioners rendered in conformity with the provisions of this section, may appeal as in cases of land taken for highways to the supreme judicial court in the county in which the land is situated.

**Screens.**

**Sec. 9. Outlets of ponds and lakes may be screened.** The commissioners may in their discretion authorize the screening of the outlet of any pond or lake under such conditions as they may determine. Whoever shall take up, destroy or injure any screen erected at the outlet of any lake or pond by authority of the commissioners of inland fisheries and game, shall pay a fine of fifty dollars and costs for each offense.

**Inland Fish and Game Wardens.**

**Sec. 10. Inland fish and game wardens; appointment, tenure, duties, etc.** The governor, with the advice and consent of the council, upon the recommendation of the commissioners of inland fisheries and game, may appoint suitable persons as inland fish and game wardens, who shall hold office for a term of three years unless sooner removed, and who shall enforce all laws relating to inland fisheries and game, and all rules and regulations in relation thereto, arrest all violators thereof, and prosecute all offenses against the same; said inland fish and game wardens shall have the same power to serve criminal processes against such offenders, and shall be allowed the same fees as sheriffs, for like services, and they shall have the same right as sheriffs to require aid in executing the duties of their office. They shall, before being qualified to discharge the duties required by this chapter, give bond to the treasurer of state, in the sum of two thousand dollars, with two sureties, or with a surety company authorized to do business in the state, as surety, approved by the commissioners of inland fish and game, conditioned for the faithful performance of the duties of their office. Inland fish and game wardens may serve all processes pertaining to the collection of penalties for violation of the inland fish and game laws.

**Sec. 11. Sheriffs, etc. vested with like powers of wardens.** Sheriffs, deputy sheriffs, police officers and constables are vested with the powers of inland fish and game wardens, and shall receive for their services the same fees.

**Sec. 12. Towns may elect fish and game wardens.** Any city, town or plantation in which there is a lake or pond that has been stocked with fish by the state and screened partly by the state and partly by the town or by private subscription, may, at its annual meeting, elect an inland fish and game warden, with all the powers of other inland fish and game wardens, whose duty it shall be to care for and protect said screen.

**Sec. 13. Deputy wardens; tenure, duties and powers.** The commissioners of inland fisheries and game may appoint inland fish and game deputy wardens and may revoke such appointment at any time. The appointment and discharge of such deputy wardens shall be in writing, and they shall have the same powers and be subject to the same laws, as inland fish and game wardens appointed by the governor and council. All such appointments shall terminate with the calendar year in which the appointment is made.

### Guides.

**Sec. 14. Guides to be registered; must furnish commissioners with information.** No person shall engage in the business of guiding, either for inland fishing or forest or shore hunting, until he has caused his name, age and residence to be recorded in a book kept for that purpose by the commissioners of inland fisheries and game and has procured a certificate from said commissioners, setting forth in substance that he is deemed suitable to act as such guide under a penalty of fifty dollars and costs for each offense. Each registered guide shall, from time to time, as often as requested by the commissioners, forward, on blanks furnished him by the commissioners, a statement of the number of persons he has guided in inland fishing and forest and shore hunting during the time called for in said statement, the number of days he has been employed as a guide, and such other useful information relative to inland fish and game, forest fires, and the preservation of the forests in the localities where he has guided, as the commissioners may deem of importance to the state, under a penalty of fifty dollars for unreasonably or wilfully refusing to comply with these requirements.

**Sec. 15. Guides divided into classes. Fees. Registration may be revoked.** Such registration shall be as follows: The applicant shall apply in writing or personally to the commissioners for registration, or to some person designated by the commissioners, setting forth in his application whether he desires to be registered as a general or local guide; and the commissioners shall, as soon thereafter as may be, after such investigation as they deem advisable, register such person as a guide in such class as they shall deem proper; but said commissioners may refuse to register any applicant whom they deem unfit to be a guide, and may, for cause shown, after due notice and hearing, cancel any registration by them made, and may advance anyone from the local class to the general class, whenever they shall deem such person qualified to be a general guide. A fee of one dollar shall be paid annually for the registration as herein provided.

No person shall receive a certificate as a general guide unless he be at least twenty years of age, of good repute, and friendly to the inland fish and game laws, and will discountenance in all proper ways all violations thereof. He shall be thoroughly competent to traverse the hunting grounds in which he is licensed to guide and shall be skilled in the use, management, and handling of such boats or canoes, on lake, pond or river or other waters, as are used in the territory in which he is authorized to guide, and shall be a safe person under all circumstances to be a guide for inland fishing and forest and shore hunting parties. A person may receive a certificate as a local guide who does not, in the judgment of the commissioners, possess all the necessary qualifications of a general guide, yet is deemed suitable to act as such under certain conditions; and guides may be restricted in the territory in which they are permitted to guide. The commissioners of inland fisheries and game may, in their discretion, license as guides such non-residents as reside in territory contiguous to the state under such conditions as are herein provided for the registration of resi-

**CHAP. 219**

dent guides; the annual fee for such non-resident guide license shall be twenty dollars.

Whenever a guide registered, as provided in this section, is charged with having violated any of the inland fish and game laws, the commissioners may, at their discretion, temporarily suspend his certificate of registration; and whenever a guide registered, as provided in this section, is convicted of a violation of the inland fish and game laws, said commissioners may, at their discretion, cancel his certificate of registration and strike his name from the list of registered guides; but such person may thereafter be registered again at the discretion of the commissioners. Any certificate canceled or suspended by virtue of this section shall be immediately returned to the commissioners, under a penalty of fifty dollars for refusal or neglect to comply with this requirement.

**Sporting Camps.**

**Sec. 16. Sporting camps, regulation of by commissioners; deer lawfully killed may be purchased for consumption.** No person shall maintain, occupy or keep a sporting camp, lodge or place of resort for inland hunting or fishing parties within the limits of any of the unorganized townships embraced in the Maine Forestry District without annually procuring a license therefor of the commissioners of inland fisheries and game and paying therefor a fee of five dollars; but such license shall not be granted unless the person applying for the same files with his application therefor the written consent of the owner or owners of the land, or his or their agent, upon which such sporting camp, lodge or place of resort for inland fishing and hunting parties is or may be located; and such licensed persons may purchase for consumption in their sporting camps, lodges or places of resort, deer lawfully killed, but they shall keep a record of all such purchases, of whom purchased and the date of the purchase, and on the fifteenth day of December of each year shall send such record to the commissioners of inland fisheries and game together with a report of the number of residents and non-residents entertained in such camp, and such other useful information relative to the inland fish and game interests as the commissioners may deem of importance to the state. The commissioners of inland fisheries and game may refuse to issue a license or licenses to such person or persons as they deem unsuitable. Whoever violates any provision of this section shall pay a fine of fifty dollars and costs for each offense.

**Definition of Terms.**

**Sec. 17. Terms "closed season," "open season," "tributaries," etc., defined.** The words "closed season" as used in this chapter mean the time or period during which it is unlawful to hunt, pursue, shoot, wound, trap or destroy any bird or animal, or fish for or catch any fish, and the words "open season" mean the time during which it shall be lawful to take these animals, fish and birds as specified and limited by law. The words "tributary" and "tributaries" wherever used in this chapter shall be construed to mean brooks or streams flowing directly or indirectly into a lake

## CHAP. 219

or pond or into another brook or stream, and one great pond or lake shall not be construed as a tributary to another great pond or lake.

**Fishing.**

**Sec. 18. Landlocked salmon, trout, togue, white perch and black bass, annual closed time; exceptions.** Except as hereinafter provided, there shall be an annual closed season on landlocked salmon, trout, togue, white perch and black bass, in all the lakes and ponds of the state, as follows:

On landlocked salmon, trout and togue, from the thirtieth day of September until the ice is out of the lake or pond fished in the following spring; on white perch and black bass from the thirtieth day of September until the twentieth day of June following; provided, however, that it shall be lawful to take black bass, with unbaited artificial flies only, from the time the ice is out of the lake or pond fished in the spring until the twentieth day of June following; provided, further, that any person who catches a white perch, while lawfully trolling, in good faith, for landlocked salmon, trout or togue, during closed season on white perch, may lawfully keep the same, but no person shall in any one day keep more than six white perch so caught; provided, further, that in Sebago lake and Long pond, in Cumberland county, the annual closed season on landlocked salmon, trout and black bass shall be from the first day of October to the thirty-first day of March of the following year, both days inclusive, and in Thompson pond, situated in Androscoggin, Cumberland and Oxford counties, the annual closed season on landlocked salmon, trout and togue shall be from September first to January first of the following year. In the brooks, streams and rivers of the state, above tide-waters, the annual closed season on trout, salmon and landlocked salmon shall be from September fifteenth to the time the ice is out of the brook, stream or river fished in the following spring; on black bass and white perch from September fifteenth to June twentieth of the following year. Provided, however, that landlocked salmon and trout may be caught by artificial fly until October first in Moose river, between Moosehead lake and Brassua lake, in Somerset county. Provided, further, that during February, March and April, in the counties of Aroostook, Penobscot, Piscataquis, Somerset, Washington and Hancock, and during February and March in the counties of Androscoggin, Kennebec, York, Sagadahoc, Knox, Lincoln, Waldo, Cumberland, Oxford and Franklin, citizens of the state may fish for and take landlocked salmon, trout, togue, white perch and black bass with not more than five set lines to each family when fishing through the ice in the day time and when under the immediate personal supervision of the person fishing and may convey them to their own homes for consumption therein but not otherwise.

Provided, further, that it shall be unlawful to fish through the ice at any time for any other species of fish except as hereinafter provided:

**Pickereel** may be taken at any time through the ice in waters open to ice fishing for landlocked salmon, trout, togue, white perch and black bass, with not more than five set lines to each family when fishing through the ice in the day time and when under the immediate personal supervision of the person fishing.

**CHAP. 219**

**Sec. 19. Size of fish and weight of catch limited; special provisions in various localities.** During the the respective closed seasons on the above-named fish no person shall fish for, take, catch or kill or have any of them in possession; provided, further, that no person shall in any one day during the respective open seasons herein provided take or catch and kill or have in possession at any time, more than fifteen pounds in all of landlocked salmon, trout, togue, white perch and black bass, unless one individual fish caught shall weigh more than fifteen pounds, or unless the last fish caught increases the combined weight thereof to more than fifteen pounds, and provided, further, that no person in any one day shall take, catch and kill or have in possession at any time more than twenty-five fish in all of landlocked salmon, trout, togue, white perch and black bass even though the twenty-five fish caught and killed weigh less than fifteen pounds; provided, further, that no person or party or occupants of any one boat, canoe, raft or other vessel or conveyance propelled by steam, electricity, hand or other power shall catch by still or plug fishing, so called, more than four trout and landlocked salmon in any one day, collectively, nor more than two trout and landlocked salmon in any one day, individually, in the waters of Richardson, Mooselookmeguntic and Cupsuptic lakes, situated in the counties of Franklin and Oxford; provided, further, that it shall be unlawful for any person to fish for, take, catch or kill any kind of fish at any time in Rangeley lake, in the county of Franklin, by still or plug fishing, so called; provided, further, that no person shall fish for, take, catch or kill any trout or landlocked salmon at any time in Messalonskee lake or Snow pond, so called, of the Belgrade Chain of Lakes, in the county of Kennebec, by still or plug fishing, so called, and provided, further, that no landlocked salmon less than twelve inches in length, no trout or white perch less than six inches in length and no black bass less than ten inches in length shall be caught and killed or had in possession by any person at any time, except that in Great, Long, East, North, Ellis, McGraw and Snow ponds, said ponds being part of the Belgrade Chain of Lakes, in Kennebec and Somerset counties, no trout less than ten inches or black bass less than twelve inches in length shall be caught and killed at any time; and provided, further, no person shall take, catch and kill in any one day more than six black bass in all in either of said ponds or in lake Kezar or in Lake Kezar pond in Oxford County.

**Sec. 20. Number of lines limited.** No person shall in any manner, except when fishing through the ice, as now provided by law, fish with more than two lines at any time.

**Sec. 21. Penalty for violation.** Whoever violates any provision of the three preceding sections shall pay a fine of not less than ten, nor more than thirty dollars, and costs of prosecution, for each offense; and in addition thereto one dollar for each fish taken, caught, killed or had in possession in violation of any provision of said sections.

**Sec. 22. Sale of certain fish prohibited; penalty; exceptions.** Whoever by himself, his clerk, servant, or agent, directly or indirectly, sells or purchases any landlocked salmon, trout, togue, black bass or white perch,



shall pay a fine of not less than ten, nor more than thirty dollars, and costs of prosecution, for each offense, and in addition thereto one dollar for each fish sold, purchased or had in possession in violation of this section.

Provided, however, that white perch legally taken in Grand lake, Junior lake, Compass lake and Dobsis lake, in the counties of Washington and Penobscot, and all other lakes and ponds whose outlets empty into any of the above named lakes, may be sold and transported, within or without this state, under such rules and regulations as the commissioners of inland fisheries and game may establish.

**Sec. 23. Fishing for gain or hire prohibited; exceptions.** Whoever shall, for the whole or any part of the time, engage in the business or occupation of fishing on any of the inland waters of the state above tide-waters, for landlocked salmon, togue, trout, black bass, pickerel, or white perch, for gain or hire, shall for every such offense pay a fine of fifty dollars and costs; provided, however, that nothing in this section shall be construed as prohibiting the sale of pickerel legally taken by the person taking the same.

**Sec. 24. Certain implements and devices prohibited; penalty.** Whoever fishes for, takes, catches, kills or destroys any fish, with fish spawn, or grapnel, spear, trawl, weir, gaff, seine, trap, (or set lines, except when fishing through the ice, and then with not more than five set lines to a family in the day time) or shall use any dynamite or other explosive or poisonous or stupefying substance for the purpose of destroying or taking fish, or takes any kind of fish, except suckers, eels, hornpouts and yellow perch, as hereinafter provided, with any device or in any other way than by the ordinary mode of angling with single-baited hook and line, artificial flies, artificial minnows, artificial insects, spoon-hooks and spinners, so called, shall pay a fine of not less than ten, nor more than thirty dollars, and costs of prosecution, for each offense; and in addition thereto one dollar for each fish taken, caught, killed or had in possession in violation of any provision of this section; and when prohibited implements or devices are found in use or possession they are forfeit and contraband and any person finding them in use may destroy them.

**Sec. 25. Jack-lights, spears, trawls, etc., subject to confiscation; possession illegal; penalty.** No person shall have in possession at any time when he is upon the wild lands, waters or highways, or in the woods or fields of the state, or in any camp, lodge, or place of resort for hunters or fishermen, or in its immediate vicinity, any jack-light or light fitted for use in the hunting of game in the night time; nor shall any person have in possession at any time any spear, trawl or net (except such as are authorized for the taking of suckers, eels, hornpouts and yellow perch, as provided in section twenty-seven of this chapter) other than a dip-net, in any camp, lodge or place of resort for hunters or fishermen, or in its immediate vicinity, or on any of the lakes, rivers or streams of the state, or in their immediate vicinity, in the inland territory of the state. Whoever violates any provision of this section shall be subject to a penalty of not less than ten, nor more than one hundred dollars and costs, for each offense, and when

## CHAP. 219

any such implements or devices are found in possession in violation of any provision of this section they are forfeit and contraband, and shall be seized by any person authorized to enforce the inland fish and game laws.

**Sec. 26. Smelts, cusk, suckers, minnows, etc.; regulations; penalty.** It shall be lawful, however, to take smelts in all the inland waters of the state above tide-waters with a dip-net in the usual and ordinary way, and to catch them through the ice in the day time with single hook and line at any time in waters open to ice fishing, but they shall not be taken for sale or sold at any time except for bait for fishing in this state; provided, however, that it shall be lawful to take smelts, with single hook and line, in the day time, in Sebago lake for sale within or without the state, during January, February and March of each year, but they shall not be taken with a dip-net in the tributaries to Sebago lake except for consumption as food in the family of the person taking the same; and provided, further, that it shall be unlawful to take smelts at any time in Swan lake, or in any of the tributaries to said lake, in the county of Waldo, in any manner except with single hook and line. Provided, further, that it shall be lawful to take minnows and other fish usually used for bait in fishing, in all the inland waters of the state, and to sell the same for bait for fishing only in this state; and provided, further, that it shall be lawful to catch white fish with single hook and line at any time, in all the inland waters of the state, but they shall not be taken at night with set lines; and provided, further, that white fish may be taken, by means of nets, during the month of November of each year, for food purposes only in the family of the person taking the same, under rules and regulations of the commissioners of inland fisheries and game, in Millinocket, North Twin, South Twin, Pemadumcook, Jo Mary and Ambejeus lakes, in Penobscot and Piscataquis counties, and in Grand lake and Pokumkus lake or Compass lake, so called, in Washington county; and provided, further, that it shall be lawful to catch cusk at any time in waters open to ice fishing with not more than five set lines to each family when fishing through the ice and when under the immediate personal supervision of the person fishing; and provided, further, that it shall be lawful to take suckers with spears, in all the inland waters of the state, during April and May of each year. Whoever violates any provision of this section shall pay a fine of thirty dollars and costs for each offense.

**Sec. 27. Suckers, eels, hornpouts and yellow perch, commissioners may grant permits for taking; exceptions.** The commissioners of inland fisheries and game may grant permits to take suckers, eels, hornpouts and yellow perch, by means of eel pots, traps, spears or nets, in inland waters frequented by these fish, under such terms, rules and regulations as they may establish, but no exclusive territory permits shall be granted for the taking of any of said fish in the Machias river, in Washington county.

It shall be unlawful for any person to take, catch, kill, destroy or have in possession any suckers, eels, hornpouts or yellow perch in violation of any provision of this section, under a penalty of thirty dollars and costs for each offense.

## CHAP. 219

**Sec. 28. Weight of salmon, trout, togue, white perch and black bass, to be transported limited; regulations.** No person shall transport more than fifteen pounds of landlocked salmon, trout, togue, white perch or black bass in all in any one day, nor shall any corporation or common carrier transport more than fifteen pounds in all, of landlocked salmon, trout, togue, white perch or black bass in any one day as the property of one person, but nothing herein contained shall prevent any person, corporation or common carrier from transporting one fish weighing more than fifteen pounds; nor shall any such be transported except in the possession of the owner thereof, plainly labeled with the owner's name and residence, and open to view, except as is provided in the following section. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than thirty dollars and costs for each offense, and in addition thereto one dollar for every pound of fish being transported in violation of any provision of this section; and all such fish being so transported in violation of this section shall be seized and shall be forfeited to the state; provided, however, that nothing herein contained shall prohibit any person having less than twenty-five fish weighing in all less than fifteen pounds from transporting one additional fish, nor prohibit any transportation company from transporting said additional fish under the conditions prescribed in this section for the transportation of fish.

**Sec. 29. Owner must accompany fish; exceptions. Penalty for violation.** No landlocked salmon, trout, togue, black bass or white perch shall be carried or transported in any way except in the possession of the owner, accompanied by him plainly labeled with the owner's name and address, and open to view, except any person who has lawfully in his possession one landlocked salmon, one trout, one togue, one black bass or one white perch, or ten pounds of any kind of these fish, may transport the same to his home or to any hospital in this state without accompanying the shipment, by purchasing of the duly constituted agent therefor a tag, paying for a landlocked salmon, trout, togue or black bass, one dollar for each, or one dollar for each ten pounds of the same, and fifty cents for one white perch or ten pounds of the same; provided, however, that no person shall, under any of these provisions, send more than one box of fish once in five days. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than thirty dollars and costs, for each offense, and in addition thereto one dollar for each pound of fish transported in violation of any provision of this section.

**Sec. 30. Stocking of lakes and streams without permission of commissioners illegal.** Whoever introduces fish of any kind into any of the waters of the state by means of live fish or otherwise, except upon written permission of the commissioners of inland fisheries and game, shall pay a fine of not less than fifty, nor more than five hundred dollars.

**Sec. 31. Tolling by means of "advance baiting" prohibited.** Whoever deposits any meat, bones, dead fish or parts of the same, or other food for fish, in any of the inland waters of the state, for the purpose of luring fish known as "advance baiting," shall pay a fine of not less than ten, nor more than thirty dollars and costs of prosecution, for each offense.

## CHAP. 219

**Sec. 32. Deposit of slabs, edgings, sawdust, in streams, etc., illegal; special provisions in various localities.** No person or corporation shall place or deposit in any of the lakes or ponds of the state, or into any of the following named rivers, brooks and streams, to wit, in Aroostook county, the Aroostook river or any of its tributaries above the mouth of Beaver brook, in Sheridan plantation, except sawdust made by gang saws, main rotaries, up and down saws in water mills in use prior to nineteen hundred and three; Fish river and all its tributaries down as far as the foot of Eagle lake, except Sly brook; Wallagrass river for a distance of three miles from its mouth; Little Madawaska river or any of its tributaries; in Cumberland county, in any of the rivers, brooks or streams lying wholly or in part in the towns of Naples, Casco and Raymond; Breakneck brook and its tributaries; in any of the tributaries to Highland lake; Mill brook in Westbrook; in Franklin county, in any of the tributaries to Lake Webb; in Kennebec county, in any of the tributaries to McGraw, Ellis, East, North, Great, Long, Little and Snow ponds; in Potter mill stream, in Litchfield; in any of the tributaries to any of the lakes or ponds lying wholly or partly in the towns of Vienna and Mount Vernon; in Knox county, in any of the tributaries to Crawford pond in Union and Warren; in Lincoln county, in Jackson mill stream, or in Joe Weeks' mill stream, tributaries to Damariscotta lake; in Oxford county, Bog brook and its tributaries, in Oxford and Hebron (and in Minot and Mechanic Falls in Androscoggin county); Swift river and its tributaries, in the counties of Oxford and Franklin; the outlet of Worthley pond in Peru; in Ellis river and its tributaries; Cambridge river, in Upton and Grafton; Bear river, in Newry and Grafton; Cold river and its tributaries, in Stowe; the tributaries to Upper Kezar pond in Lovell; in Penobscot county, the west branch of Mattawamkeag stream and its tributaries; Kimball brook, Shin brook and Seboeis river, tributaries to East branch of the Penobscot river; Fish stream, a tributary to Mattawamkeag river; Olamon stream; in Piscataquis county, Ferguson stream; the South branch of the Piscataquis river and its tributaries in the town of Kingsbury; Thorn brook and its tributaries in the towns of Abbot, Kingsbury and Blanchard; Higgins stream and its tributaries in the counties of Somerset and Piscataquis; in Waldo county, Half Moon or Sandy stream and its tributaries; the tributaries to Seven Tree pond; the tributaries to Unity pond; St. Georges river, in Montville and Searsmont; Ellis stream, in Waldo, Brooks and Belfast; in Washington county, Baskahegan stream, in the town of Danforth; in York county, Heath brook, in the town of Acton; Little Ossipee river, within the limits of the town of Shapleigh, Newfield, Waterboro, Limerick and Limington; Norton and Brown brooks and their tributaries, in Shapleigh and Limerick, or allow the same to be done by anyone in their employ, any slabs, edgings, sawdust, chips, bark, mill waste, shavings or fibrous material created in the manufacture of lumber, or place or deposit the same on the banks of any of the above-named waters in such negligent or careless manner that the same shall fall or be washed into said waters, or with the intent that the same shall fall or be washed into said waters. Whoever violates any provision of this section shall pay a fine of

not less than five dollars and not exceeding one hundred dollars and costs for each offense.

**Sec. 33. Cultivation of useful fish by individuals.** Any riparian proprietor may, within the limits of his own premises, enclose the waters of a stream not navigable, for the cultivation of useful fishes; provided that he furnishes suitable passages for migratory fishes naturally frequenting such waters, and does not obstruct the passage of boats and other craft and materials, in places where the same have a right to pass. Any person legally engaged in the artificial culture and maintenance of fishes, may take them in his own enclosed waters wherein the same are so cultivated and maintained, as and when he pleases, and may at all times sell, ship or transport them from his own pools or ponds, without accompanying the shipment, having first procured a license therefor and tagged said fish in accordance with the rules and regulations established by the commissioners of inland fisheries and game.

**Sec. 34. Penalty for fishing in private ponds without permission of owners.** No person without permission of the proprietor, shall fish in that portion of a pond or other water in which fish are artificially cultivated or maintained by written permission of the commissioners of inland fisheries and game, under a penalty of not less than ten, nor more than one hundred dollars, for each offense, besides two dollars for each fish so taken or killed; and, in default of payment, such offender shall be imprisoned at the expense of the prosecutor, until said forfeiture is paid or he is otherwise discharged by due process of law.

**Sec. 35. Jurisdiction of commissioners extends to tide-waters.** The provisions of this chapter, so far as they relate to fish of all varieties and fishways, apply to fish and fishways down to tide waters.

### Hunting and Trapping.

**Sec. 36. Close time on caribou, cow moose and calf moose; term "calf moose" defined. Penalty.** Whoever hunts, pursues, kills or has in possession any caribou or any cow moose or any calf moose, or part thereof, at any time, shall pay a fine of two hundred dollars and costs for each offense; and the term "calf moose" as herein used, shall be construed to mean that these animals are calves until they are at least one year old and have at least two prongs or tines not less than three inches long to each of their horns.

**Sec. 37. Bull moose; close time until Nov. 1st, 1919.** There shall be a closed time on bull moose until the first day of November in the year nineteen hundred and nineteen; until said date no person shall hunt, take, catch, kill, destroy or have in possession any bull moose or part thereof. On and after the first day of November, nineteen hundred and nineteen, no person shall, except as otherwise provided, between the first day of December of each year and the thirty-first day of October of the following year, both days inclusive, hunt, take, catch, kill, destroy or have in possession any moose or part thereof, and no person shall during the

**CHAP. 219**

month of November of each year hunt, take, catch, kill, destroy or have in possession more than one bull moose or part thereof. Whoever violates any provision of this section shall pay a fine of not less than one hundred, nor more than two hundred dollars and costs for each offense or be imprisoned not exceeding four months. A person lawfully killing a bull moose in open season shall have a reasonable time in which to transport the same to his home and may have the same in possession at his home in close season.

**Sec. 38. Deer; may be taken from Oct. 1 to Dec. 15, certain counties. Number limited to two. Exceptions.** There shall be an annual closed season on deer in the counties of Aroostook, Franklin, Hancock, Oxford, Penobscot, Piscataquis, Somerset and Washington from December sixteenth of each year to September thirtieth of the following year, both days inclusive, (except that on the island of Mount Desert and in the town of Deer Isle and in the town of Stonington, in the county of Hancock, and on Cross island and on Scotch island, in the county of Washington, no deer shall be pursued or killed at any time), during which said closed season, except as hereinafter provided, it shall be unlawful to hunt, chase, catch or kill any deer or have in possession any part or parts thereof whenever or wherever taken, caught or killed; and no person shall between October first and December fifteenth next following of each year, both days inclusive, except as hereinafter provided, take, catch, kill or have in possession, whenever or wherever taken, caught or killed, more than two deer or parts thereof.

**November, only, open season in specified counties; number limited to one. Exceptions.** There shall be an annual closed season on deer in the counties of Androscoggin, Cumberland, Kennebec, Knox, Lincoln, Sagadahoc, Waldo and York from the first day of December of each year to the thirty-first day of October of the following year, both days inclusive, (except that in the town of Isle au Haut, in the county of Knox, and on Swan Island, in the county of Sagadahoc, no deer shall be pursued or killed at any time), during which closed season, except as hereinafter provided, it shall be unlawful to hunt, chase, catch or kill any deer, or have in possession any part or parts thereof, taken in the counties named in this paragraph; and no person shall between the first day of November and the thirtieth day of November, of each year, both days inclusive, except as hereinafter provided, take, catch or kill in the counties named in this paragraph more than one deer; it shall also be unlawful for any person to have in possession more than one deer, or part or parts thereof, taken in the counties named in this paragraph in one open season; a person lawfully killing a deer in open season shall have a reasonable time in which to transport the same to his home and may have the same in possession at his home in closed season.

**Deer may be killed when doing damage to crops; provisions and regulations. Salting prohibited.** Provided, however, that if a deer is found doing actual, substantial damage to any growing cultivated crops, the cultivator of such crops may kill the deer, and may consume said deer in his own family but not otherwise; but he shall not pursue the deer beyond the limits of his cultivated land in which the damage is being done; provided, further, that whoever kills a deer in accordance with the provisions herein

## CHAP. 219

contained shall forthwith give notice in writing to the commissioners of inland fisheries and game, at Augusta, Maine, of the fact of such killing and the character and estimated amount of damage done; whoever fails to give such notice shall in no wise be protected by the provisions hereof. Whoever shall cultivate any crops for the manifest purpose of killing deer under the provisions of this paragraph shall in no wise be protected thereby; and it shall be unlawful to place salt in any place for the purpose of enticing deer thereto. Whoever violates any provision of this section shall pay a fine of forty dollars and costs for each offense.

**Sec. 39. Use of dogs, jack-lights, traps, etc., prohibited.** No person shall at any time hunt, catch, take, kill, or destroy, with dogs, jack-lights, artificial lights, snares, or traps, any moose, caribou or deer, under a penalty of one hundred dollars and costs for each offense.

**Sec. 40. Penalty for allowing dog to chase protected animals.** Any person owning or having in his possession any dog for the purpose of hunting or chasing moose, caribou or deer, or who permits any dog owned by him or in his possession to hunt or chase moose, caribou or deer, after notice that such dog has chased moose, caribou or deer, shall pay a fine of forty dollars and costs for each offense.

**Transportation of Game.**

**Sec. 41. Sale of moose or deer outside of state prohibited; transportation limited. License fee.** No person shall sell or give away any moose or deer or part thereof to be transported or carried beyond the limits of this state; and no person shall buy or accept as a gift any moose or deer or part thereof to so transport the same; and no resident of this state shall carry or transport in any manner beyond the limits of this state more than one deer or part thereof in any one year. Any citizen of Maine who has lawfully in his possession a bull moose may personally take the same out of the state by procuring a license therefor from the commissioners of inland fisheries and game, paying therefor a fee of five dollars, and said license shall be attached to said moose or part thereof being transported. Whoever violates any provision of this section shall pay a fine of forty dollars and costs for each offense.

**Sec. 42. Transportation of moose and deer within state.** Any citizen of the state who has lawfully killed a bull moose or a deer may send the same to his home or to any hospital in the state, without accompanying the same, by purchasing of the duly constituted agent therefor a tag, paying for the moose five dollars, for a deer two dollars, and said tag shall be attached to the bull moose or deer, or part thereof, being transported. The commissioners of inland fisheries and game may appoint agents in convenient localities who may sell these tags, under such rules and regulations as said commissioners may adopt.

**Sec. 43. Lumber camps; number of deer limited.** No owner, keeper or occupant of any camp, house or other building used partly or wholly in lumbering operations, shall have, use or keep in any manner more than two

**CHAP. 219**

deer, or parts thereof, in any one open season for deer in any one year, under a penalty of forty dollars and costs for each deer or part thereof so had in possession or used in violation hereof.

**Sec. 44. Carcasses of moose and deer to be open to view when in transit. Evidence of sex to be preserved.** Except as herein provided no person or corporation shall carry or transport from place to place any bull moose or deer or part thereof in closed season nor in open season unless open to view, tagged, and plainly labeled with the name and residence of the owner thereof, and accompanied by him while being transported and identified by him at such places as the commissioners of inland fisheries and game shall have designated by publication in the daily newspapers in the state, under a penalty of forty dollars and costs for each bull moose, deer or part thereof so transported or carried, and any person not the actual owner of such bull moose or deer, or part thereof, who, to aid another in such transportation, falsely represents himself to be the owner thereof, shall be liable to the same penalty; and it shall be prima facie evidence that said moose or deer or part thereof, that is being transported or carried in violation of this section, was illegally killed. Whoever lawfully kills a bull moose, shall, while the same, or any part thereof, is being transported, preserve and transport it with the evidence thereon of the sex of the same.

**Beaver.**

**Sec. 45. Beaver; commissioners may declare open season on proof of damage. Proceedings.** The commissioners of inland fisheries and game, upon written complaint of any land owner that beaver are doing actual, substantial damage to his property, shall have authority to declare an open season for beaver upon such land for such period of time as they may deem necessary to remove the beaver that are doing the damage complained of, during which open season it shall be lawful for any licensed hunter and trapper of fur-bearing animals to trap beaver thereon. No open season for beaver as contemplated by this section shall take effect until the commissioners of inland fisheries and game shall have caused notice of such proposed open season to be published once in a newspaper printed in the county in which the land on which the open season for beaver is declared is located, and said commissioners shall also file copy of said notice of open season with the clerk of the town or plantation in which such land is located, or if the land is in an unorganized place, with the clerk of courts for the county in which the land is located. Whenever during a special open season on beaver as is contemplated by this section it shall appear to the commissioners of inland fisheries and game that the privileges of such open season are being abused in any place, said commissioners of inland fisheries and game may suspend the open season and declare it close season for beaver on such land for such time as they may designate. No person shall take any beaver anywhere in the state at any time except during such open season as may be declared by the commissioners of inland fisheries and game in accordance with the provisions of this section. Whoever takes any beaver in violation of any provision of this section shall be punished by



fine of twenty-five dollars and costs for each beaver taken, caught or killed in violation of any provision of this section. It shall also be unlawful, under the same penalty, for any person to have in possession at any time, any beaver, or part thereof, taken in violation of any provision of this section.

### **Fur Bearing Animals.**

**Sec. 46. Fur-bearing animals; general and special provisions; exceptions.** Whoever, from the first day of March to the fourteenth day of the following October, both days inclusive, hunts, traps, kills, pursues or catches any fur-bearing animal. (except bears, muskrats, raccoons, beaver, bobcats, loup-cervier, Canada lynx, and weasels) or whoever, from the first day of March to the fourteenth day of the following August, both days inclusive, hunts, traps, kills, pursues or catches, any raccoon, or whoever from the first day of May to the fourteenth day of the following October, both days inclusive, hunts, traps, kills, pursues or catches, any muskrat, or whoever has in possession at any time any fur-bearing animal or part thereof taken in closed season, shall pay a fine of ten dollars and costs for each offense and in addition thereto three dollars for each fur-bearing animal hunted, trapped, killed, pursued, caught or had in possession in violation hereof. Provided, further, that it shall be unlawful under the same penalty to take, catch, trap, kill or destroy any muskrat or muskrats at any time in Lower Kezar pond in the town of Fryeburg in the county of Oxford, and in the town of Bridgton in the county of Cumberland, or in the outlet stream of said Lower Kezar pond, or in the Kezar meadows, so-called, adjacent to said pond, (which meadows are bounded by the outlet stream of said pond, by the old Saco river, by the "Uplands," so-called, and by the "Upland" on the easterly side of said meadows) or in the east bog, so-called, or in the west bog, so-called, bounded by the "Uplands," and on the westerly side by a wire fence on land owned by E. C. Buzzell. Provided, further, it shall be unlawful to set a trap at any time within twenty-five feet of a muskrat house, under a penalty of ten dollars and costs for each offense. Whoever at any time hunts, traps, kills, pursues, catches or has in possession any beaver, or part thereof, except as provided in the preceding section, shall pay a fine of one hundred dollars and costs for each offense. Provided, however, that any person may lawfully kill any wild animal (other than beaver) or any wild bird found destroying his property.

**Sec. 47. Fox dens; molestation of, prohibited.** No person shall at any time dig out, molest or destroy in any way any fox den or fox dens, or remove or cause to be removed therefrom any fox or foxes, except those enclosed in private fox ranches. Whoever violates any provision of this section shall pay a fine of ten dollars and costs for each offense.

**Sec. 48. Gray squirrels.** There shall be an annual closed season on gray squirrels during which closed season no person shall shoot at, kill, or have them in possession except alive, from the first day of November of each year until the thirtieth day of September of the following year, both days inclusive; provided, however, that there shall be a perpetual closed season on gray squirrels within all public or private parks and within the

**CHAP. 219**

limits of the compact or built-up portion of any city or village. Whoever shall shoot at or kill or have in possession any gray squirrel in violation of any provision of this section shall pay a fine of not more than five dollars and costs, for each offense.

**Sec. 49. Rabbits and wild hares.** There shall be an annual closed season on wild hares or rabbits, during which closed season no person shall hunt, kill, catch, pursue or have them in possession except alive, during the months of April, May, June, July, August and September of each year. No person shall use any snares, traps or other devices in the hunting, pursuing or killing of wild hares or rabbits, or hunt or kill the same except in the ordinary method of shooting with guns in the usual manner; provided, however, that it shall be lawful to catch wild hares or rabbits in common box traps during the open season provided in this section. Whoever violates any provision of this section shall pay a fine of ten dollars and costs, for each offense.

**Sec. 50. License must be procured to hunt or trap fur-bearing animals in unorganized townships; exceptions.** Whoever hunts, captures or traps any fur-bearing animals, except bob-cats, loupcevriev or Canada lynx, in any of the unorganized townships of the state shall annually procure a license therefor, from the commissioners of inland fisheries and game, paying therefor a fee of five dollars; and he shall, on or before the fifteenth day of December of each year, make such report to said commissioners as may be called for by them. Whoever violates any provisions of this section shall pay a fine of fifty dollars and costs, for each offense.

**Sec. 51. Traps must be labeled; snares prohibited. Special provisions as to bear traps.** No person shall at any time set a snare for any fur-bearing animal, nor shall any person at any time set any trap or traps of any kind for any wild animal without having the trap or traps plainly labeled with his full name and address, either by having same stamped on the trap or on a metal tag, firmly attached to the trap. Whoever violates any provision of this section shall pay a fine of five dollars and cost for each offense and in addition thereto five dollars for each trap set and not marked as provided herein, and shall forfeit the trap or traps, and any wild animal found therein, to any person finding the same. Provided, that no person shall set a bear trap at any time unless a written or printed notice stating that such trap has been set is posted conspicuously in the immediate vicinity, under a penalty of fifty dollars and costs for each offense; and no person shall set a bear trap at any time unless the same is enclosed in a hut, so-called, under the same penalty.

**Sec. 52. Traps must be visited. Written consent of owner of land must be obtained.** Any person setting a trap in any organized or incorporated place shall visit said trap, or cause the same to be visited, at least once in every twenty-four hours and remove therefrom, or cause to be removed, any animal found caught therein. No person shall set traps in any organized or incorporated place without first obtaining the written consent of the owner or occupant of the land on which said traps are to be set. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than fifty dollars and costs for each offense.

**Bounties.**

**Sec. 53. Bounties—bobcat, loupcevrier, Canada lynx; provisions, form of certificates, etc.** A bounty of four dollars for every bobcat, loupcevrier or Canada lynx killed in any town shall be paid by the treasurer of state to the person killing it upon compliance with the following conditions:

No bounty shall be paid unless the claimant, within five days after he has killed such animal, or has returned from the hunting in which he killed it, exhibits to the town treasurer the entire skin thereof with the ears, nose and tail thereon in as perfect a state as when killed, except natural decay, and signs a certificate under oath, which said treasurer may administer, stating that he killed such animal and the time and place, which shall be within the state, and the treasurer shall thereupon cut off the whole of the tail from such skin and forward the same by mail to the commissioners of inland fisheries and game, at Augusta, Maine, together with the claimant's certificate, which certificate shall be in the following form:

**Claimant's Certificate.**

To the treasurer of the town of

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19\_\_\_\_, at \_\_\_\_\_, in the State of Maine, I killed the bobcat, loupcevrier or Canada lynx, the skin of which I now exhibit to you, and I claim the bounty allowed by law for the killing the same.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_\_\_. Claimant.

Subscribed and sworn to before me the day and year aforesaid.

Treasurer of

And the treasurer of said town shall make and send at once to the commissioners of inland fisheries and game a certificate which shall be in the following form:

**Town Treasurer's Certificate.**

To the commissioners of inland fisheries and game:

I hereby certify that as required by law, \_\_\_\_\_, of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_, at \_\_\_\_\_, exhibited to me the whole of the skin of a bobcat, loupcevrier or Canada lynx, and signed and made oath to the following certificate:

To the treasurer of the town of

I hereby certify that on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_, at \_\_\_\_\_, in the State of Maine, I killed the bobcat, loupcevrier or Canada lynx, the skin of which I now exhibit to you, and I claim the bounty allowed by law for killing the same.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_. Claimant.

I further certify that I cut off the whole of the tail from the skin of the bobcat, loupcevrier or Canada lynx described in this certificate and enclose the same herewith.

## CHAP. 219

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19 \_\_\_\_.  
Claimant.

Treasurer of the town of \_\_\_\_\_

Subscribed and sworn to the day and year aforesaid.

Justice of the Peace.

Upon receipt by the state auditor of a certificate from the commissioners of inland fisheries and game showing that said commissioners have received the tail of the bobcat, loup cervier or Canada lynx from the treasurer sent as aforesaid, together with said treasurer's certificate, said state auditor shall audit the claim for bounty and the same shall be paid forthwith by the treasurer of state to the claimant from the appropriation for bounties on bobcat, loup cervier or Canada lynx. The town treasurer for administering the oath to a claimant's certificate as above, and for forwarding the same with the tail of the animal to the commissioners of inland fisheries and game, shall be paid by the claimant the sum of twenty-five cents.

#### Perpetually Protected Birds.

**Sec. 54. Perpetual "closed season" on certain birds.** No person shall hunt, chase, catch, kill, destroy or have in possession at any time any eagle, Hungarian partridge, or capercaillie, or cock of the woods, or any black game, or any species of the pheasant, except ruffed grouse or partridge. Whoever violates this section shall pay a fine of ten dollars and costs for each offense.

#### Game Birds.

**Sec. 55. Game birds; general provisions. Regulations as to transportation.** There shall be an annual closed season for ruffed grouse, commonly called partridge, spruce partridge, woodcock, all varieties of wild ducks, brant, geese, plover, snipe, sora and other rails, coots and gallinules, as follows: On partridge and woodcock, above named, from the first day of December of each year to the thirtieth day of September of the following year, both days inclusive; on all varieties of ducks, brant and geese and on coots, gallinules and jacksnipe, or Wilson snipe, from the first day of January of each year to the fifteenth day of the following September, both days inclusive; on black-breasted and golden plover and greater and lesser yellowlegs, from the first day of December of each year to the fifteenth day of August of the following year, both days inclusive; on rails (except coots and gallinules) from the first day of December of each year to the thirty-first day of August of the following year, both days inclusive, during which closed seasons it shall be unlawful to hunt, chase, catch, kill or have in possession any of the above-named birds except as hereinafter provided; provided, further, that it shall be unlawful to hunt, chase, catch, kill or destroy or have in possession at any time, any curlew, woodduck, swans, or any shore birds except black-breasted and golden plover, Wilson or Jacksnipe, woodcock, and greater or lesser yellowlegs; and no person shall, during the respective open seasons for the above-named birds, take,

## CHAP. 219

catch, kill, destroy or have in possession in any one day more than five partridge or ruffed grouse, ten woodcock, ten ducks, five plover and ten snipe; nor shall any person at any time buy or sell any of the above-named birds; nor shall any person or corporation carry or transport from place to place any of the birds mentioned in this section in closed season (except that a person shall have a reasonable time after the beginning of closed season to transport, as hereinafter provided, to his home, game birds legally killed by him in open season,) nor in open season unless open to view, tagged and plainly labeled with owner's name and residence, and accompanied by him, unless tagged with a transportation tag as hereinafter provided; nor shall any person or corporation carry or transport in any one day more than ten ducks, five plover, ten snipe, five partridges and ten woodcock, as the property of one person.

Provided, however, it shall be lawful for a citizen of this state who has purchased a transportation tag therefor of the commissioners of inland fisheries and game, and paid five dollars for the same, to take with him out of the state five partridges or ten ducks or ten woodcock, which he himself has lawfully killed, by attaching said tag to the birds being transported by virtue of this paragraph.

Provided, further, that any citizen of this state who has lawfully in his possession one pair of either of the birds named in this section, may send the same anywhere in this state without accompanying the same, by purchasing of the duly constituted agent therefor a transportation tag, paying therefor the sum of fifty cents, and attaching said tag to the pair of birds. Provided, further, that no person shall under any of the provisions of this paragraph send as aforesaid more than one pair of game birds once in seven days.

Whoever violates any of the provisions of this section shall pay a fine of ten dollars and costs for each offense, and in addition thereto one dollar for each bird of the above-named varieties taken, caught, killed, had in possession or transported in violation hereof.

**Sec. 56. Traps, nets, snares, etc., prohibited.** Whoever at any time or at any place with any trap, net, snare or contrivance other than the usual method of shooting with firearms takes any bird of any variety in anywise protected by this chapter shall pay a fine of five dollars and costs for each bird so taken, and when such prohibited implements or devices are found in possession they are forfeit and contraband and may be seized by any person authorized to enforce the inland fish and game laws.

### **Wild Birds, not Game Birds, Protected.**

**Sec. 57. Wild birds protected; exceptions. Term "game birds" defined.** No person shall within the state, kill or catch or have in his or her possession, living or dead, any wild bird, other than a game bird, nor purchase, offer or expose for sale, any such wild bird after it has been killed or caught. No part of the plumage, skin or body of any bird protected by this section shall be sold or had in possession for sale. Nor shall any person take or needlessly destroy the nest or the eggs of any wild bird, nor have such nest or eggs in possession. The English or European house sparrow,

**CHAP. 219**

the common crow, and the hawks and owls, mud hens (or bittern), kingfishers, loons and blue herons are not included among the birds herein protected; and for the purposes of this chapter the following only shall be considered game birds: The anatidæ commonly known as swans, geese, brant, and river and sea ducks; the rallidæ, commonly known as rails, coots, and gallinules; the limicolæ, commonly known as shore birds, plovers, surf birds, snipe, woodcock, sandpipers, tatlers and curlews; the gallinæ, commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges and quails. Nothing in this section, however, shall be construed to affect in any way the protection of game birds, as provided in sections fifty-four and fifty-five. Any person who violates any of the provisions of this section shall pay a fine of five dollars and costs, for each offense, and an additional five dollars for each bird, living or dead, or part of a bird, or nest, or egg possessed in violation of this section, or be imprisoned for ten days.

**Sec. 58. Use of power boats prohibited in hunting water fowl.** No person shall at any time use a boat or launch of any kind propelled by steam, naphtha, gasoline or electricity, or any other mode than the ordinary sail-boat or row-boat, in chasing, hunting or gunning any sea birds, duck or water fowl in any inland or tidal waters of this state, under a penalty of not less than twenty-five, nor more than one hundred dollars and costs for each offense.

**Non-Resident Hunters.**

**Sec. 59. Non-resident hunters must be licensed; general and special provisions.** Persons not bona fide residents of the state, and actually domiciled therein, shall not hunt, pursue, take or kill any deer, ducks, partridges, woodcock or other wild birds or wild animals, or have the same or any part thereof, in possession at any time without first having procured a license therefor as hereinafter provided. Such licenses shall be issued by the commissioners of inland fisheries and game, upon application in writing and payment of fifteen dollars to hunt deer, ducks, partridges, woodcock and other birds and wild animals during their respective open seasons, and in the manner provided by law, in October, November and December. But to hunt ducks, and other birds and wild animals in their respective open seasons, and in the manner provided by law, in the counties of Aroostook, Washington, Hancock, Penobscot, Piscataquis, Somerset, Franklin and Oxford up to October first of each year a license fee of five dollars shall be paid annually, provided, further, that in the counties of Androscoggin, Cumberland, Knox, Kennebec, Lincoln, Sagadahoc, Waldo and York such person may procure a license for five dollars to hunt, in the respective open seasons and in the manner provided by law, ducks, partridges, woodcock and other birds and wild animals except during the month of November, during which month a fifteen dollar license shall be required in said counties. A person having paid the fee of five dollars may procure a license to hunt deer and other wild animals and wild birds, in their respective open seasons and in the manner provided by law, during the open season on deer by paying an additional fee of ten dollars. Such license shall entitle the purchaser to take to his home in addition as now provided, properly tagged

## CHAP. 219

with the tag detached from his license, and open to view, five partridges, ten ducks and ten woodcock that he has himself lawfully killed under such rules and regulations to be established by the commissioners as may be required to carry out the true intent of this chapter and not inconsistent herewith.

**Sec. 60. Licensee may transport game; regulations.** Each license shall be provided with two coupons, each of which shall permit the transportation of the carcass of one deer or part thereof, and shall be divided into two sections each, lettered "A" and "B" and "C" and "D" respectively, and shall be called the deer coupons.

The holder of a non-resident hunter's license shall be entitled to offer for transportation and have transported, within or without this state, by any railroad company, express company, boat or other transportation company, the carcass of one deer, or part of the carcass of one deer, that he himself has lawfully killed, on each of the deer coupons attached to his said license, by presenting to the agent of any transportation company, his license, with the coupons attached to the license at the time when he shall offer the deer or part thereof for shipment. If but one deer is offered for shipment the agent shall detach section "A" from the first "deer" coupon of the license, cancel the same by writing or stamping thereon the date and place of shipment and his name, and shall forward the same forthwith to the commissioners of inland fisheries and game at Augusta, Maine; section "B" of said coupon shall be likewise canceled and shall be attached to the carcass, or part of the carcass, of the deer offered for shipment and shall remain attached to the same while it is being transported in this state.

In case two deer are offered for shipment the agent receiving the same for shipment shall detach sections "A" and "C" from the "deer" coupons and after canceling the same shall forward them to the commissioners as aforesaid, and sections "B" and "D" shall be likewise canceled and attached to the carcasses of the deer, or parts thereof, offered for shipment, and shall remain attached to the same while they are being transported in this state.

**Sec. 61. Deer transported for non-resident must have license coupon attached; game birds, how transported.** No person shall transport any deer, or part thereof, for any non-resident, otherwise than as provided in this section and the two preceding sections. No agent, servant or employee of any transportation company, railroad company, express company, boat or common carrier shall receive for shipment or transport, or have in his possession with intent to ship or transport any carcass of a deer, or part of the same, or any game birds, for a non-resident, except as provided in this section and the two preceding sections, or refuse or neglect to detach the sections of the coupons as therein provided, or fail to forward to the commissioners of inland fisheries and game, at Augusta, Maine, as therein provided, the sections of coupons by him detached; provided, however, that any person who has purchased a non-resident hunter's license and who has in his possession one pair of game birds which he has legally killed may transport the same to his home or to any hospital in this state without accompanying the shipment, by purchasing of the duly constituted agent

**CHAP. 219**

therefor a tag, paying for the same fifty cents, and by presenting said tag with the pair of game birds offered for shipment to the agent of any transportation company or common carrier, together with his non-resident hunter's license. Before accepting a pair of game birds for shipment as herein provided, the agent of the transportation company or common carrier to whom the same is offered for shipment shall be satisfied that the person presenting the pair of game birds for shipment is the person to whom the non-resident hunter's license offered for inspection was issued, and shall securely affix the tag to such shipment; provided, further, that no person shall send more than one pair of game birds under a special tag, as provided herein, but once in thirty days.

**Sec. 62. Possession of firearms prima facie evidence of violation. Licenses not transferable. Responsibility of guides. Penalties for violation.** The possession of any firearm in the fields or forests or on the waters or ice of the state by any person who is not a bona fide resident of the state and actually domiciled therein, unless the person having such firearm in possession has in his possession a license, as provided by section fifty-nine of this chapter, duly issued to him and covering the period such firearm is found in his possession shall be prima facie evidence of hunting in violation of section fifty-nine of this chapter. Whoever violates any provision of the three preceding sections, or who shall furnish to another person, or permit another person to have or use any license or coupon issued to him, or change or alter the same in any manner, or who has or uses any license or coupon issued to another person, or whoever knowingly guides any non-resident in hunting who has not a license to hunt as herein provided, shall pay a fine of not less than twenty-five, nor more than one hundred dollars and costs, for each offense.

**Sec. 63. Non-resident not to enter upon wild lands without guide; not more than five to one guide. Penalties.** Non-residents of the state shall not enter upon the wild lands of the state and camp or kindle fires thereon while engaged in hunting or fishing, without being in charge of a registered guide, during the months of May, June, July, August, September, October and November, and no registered guide shall, at the same time, guide or be employed by more than five non-residents in hunting.

Any such non-resident who enters upon the wild lands of the state and camps or kindles fires thereon, while engaged in hunting or fishing without being in charge of a registered guide, during the months of May, June, July, August, September, October and November, in violation of the provisions herein contained, or any guide who shall guide at the same time, or be employed by, at the same time, more than five non-residents in hunting, shall pay a fine of forty dollars and costs for each offense.

### **Hunting from Automobiles.**

**Sec. 64. Hunting from automobiles prohibited.** It shall be unlawful for any person to hunt, chase, catch, kill or destroy any wild bird or wild animal at any time from an automobile, or by aid or use of any light or



lights carried thereon or attached thereto. It shall also be unlawful for any person to have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of any provision of this section. Whoever violates any provision of this section shall pay a fine of not less than forty dollars nor more than one hundred dollars and costs for each offense.

### **Unnaturalized Foreigners.**

**Sec. 65. Unnaturalized foreigners, not real estate owners, must be licensed unless resident two years or more in state.** It shall be unlawful for any unnaturalized foreign-born person who is not a taxpayer upon real estate within this state and who has not resided within the limits of this state for two years continuously prior to the time he desires to hunt, to hunt in any manner, at any time, or pursue, catch, kill or have in possession any wild animals or birds, or part or parts thereof, within the limits of this state, unless he is annually licensed so to do as hereinafter provided. The commissioners of inland fisheries and game, upon the application of any unnaturalized foreign-born person who is a resident of any city, town or plantation within the state, and upon the payment of a fee of fifteen dollars may issue to such person a license upon a form to be supplied by them, bearing the name, age and place of residence of the licensee with a description of him as near as may be, authorizing the said licensee to hunt and kill game birds, game or other wild animals on any lands on which said hunting or killing is not forbidden by law, or by written or printed notices posted thereon by the owner, lessee or occupant thereof. Such license shall authorize the hunting or killing and having in possession of game birds, game or other wild animals only in their respective open seasons and in the manner provided by law; it shall not be transferable and shall be exhibited upon demand to any of the commissioners of inland fisheries and game, and to any inland fish and game warden, or deputy inland fish and game warden, and to any sheriff, constable, police officer or other officer qualified to serve process. The fees received from said licenses shall annually be paid into the state treasury.

**Sec. 66. Foreign born citizens not to have firearms in possession in fields and forests.** No unnaturalized, foreign-born person required to be licensed under the provisions of the preceding section shall have in possession, when he is upon the wild lands or in the woods or fields of the state, any firearm or firearms unless he is licensed as herein provided and all firearms found in his possession in violation of this section shall be forfeit and contraband and shall be seized by any person authorized to enforce the inland fish and game laws. All firearms seized by virtue of this section shall forthwith be forwarded to the commissioners at Augusta by the person seizing the same, and upon conviction of the person or persons from whom they were seized said firearms shall be sold, and the proceeds from such sale paid to the treasurer of state. Whoever violates any provision of this or the preceding section shall pay a fine of twenty-five dollars and costs for each offense.

### **Taxidermists.**

**Sec. 67. Taxidermists must be licensed; regulations to be formulated by commissioners.** The commissioners of inland fisheries and game may, upon application and payment of a fee of two dollars by the applicant, issue a license to such persons as taxidermists, who, in their judgment, are skilled in that art, of good reputation, and friendly to the inland fish and game laws of the state; taxidermists licensed as aforesaid may at all times have in their possession, at their places of business, fish and game lawfully caught or killed in open time, for the sole purpose of preparing and mounting the same; and such fish and game, or parts thereof, may be transported to such licensee and retained by him for the purposes aforesaid, under such rules, restrictions and limitations as shall, from time to time, be made by said commissioners. Such licenses may be revoked by said commissioners, at any time after notice and an opportunity for a hearing; each person so licensed shall, on or before the twentieth day of December of each year, make a detailed report to said commissioners of all they have done during the year by virtue of such license; every licensee or common carrier violating any provision of this chapter, or any of the rules, restrictions, or limitations made by said commissioners in accordance with the provisions of this section, shall pay a fine of not less than twenty, nor more than fifty dollars and costs for each offense.

**Sec. 68. Commissioners may grant licenses permitting persons to deal in deer heads and skins.** The commissioners of inland fisheries and game may annually issue licenses to residents of this state to buy and sell deer skins, and the heads of deer if not detached from said skins, during the months of January, October, November and December. Such licensee shall keep a record, which shall be open to inspection by the commissioners of inland fisheries and game or any person authorized to enforce the inland fish and game laws, of all such heads and skins purchased, of whom purchased and the date of each purchase, and shall send such record annually to the commissioners of inland fisheries and game on or before the twentieth day of December of each year. The fee for such license shall be ten dollars, to be paid to the said commissioners. All deer skins and deer heads purchased by virtue of this section shall be transported only under such rules, restrictions and limitations as shall, from time to time, be made by said commissioners. Whoever buys any skins or heads of deer without being licensed as herein provided, or whoever, licensed as aforesaid, neglects to keep the record and forward the same to said commissioners as herein provided, or whoever refuses to exhibit said record upon request to the commissioners of inland fisheries and game or to any person authorized to enforce the inland fish and game laws, shall pay a fine of fifty dollars and costs for each offense.

### **Dealers in Fur.**

**Sec. 69. Persons, buying skins of fur-bearing animals, must be licensed.** The commissioners of inland fisheries and game may annually issue licenses to residents of this state to engage in the business of buying otter,

## CHAP. 219

sable or fisher skins or the skins of any other fur-bearing animals. Said licensee shall keep a record, which shall be open to inspection by the commissioners of inland fisheries and game or any person authorized to enforce the inland fish and game laws, of all skins purchased, as aforesaid, in an appropriate book furnished them by the said commissioners, and shall send such record, under oath, to said commissioners on or before the twentieth day of December of each year. The fee for such license shall be two dollars to be paid to the said commissioners. Whoever buys any skins of otter, sable or fisher or the skins of any other fur-bearing animals without being licensed as herein provided, or whoever, licensed as aforesaid, neglects to keep the record and forward the same to said commissioners as herein provided, or whoever refuses to exhibit said book for inspection by the commissioners of inland fisheries and game or any person authorized to enforce the inland fish and game laws, shall pay a fine of ten dollars and costs for each offense. All skins of fur-bearing animals bought in violation of the provisions of this section shall be forfeit and contraband and shall be seized by any person authorized to enforce the inland fish and game laws and upon conviction of the person or persons from whom they were seized, they shall be sold, and the proceeds from such sale paid to the treasurer of state.

**Marketmen.**

**Sec. 70. Marketmen, etc., may be licensed to buy and sell deer meat; license fee graded.** Any marketman or provision dealer having an established place of business in the state, may purchase and have in possession at his said place of business not more than three deer, lawfully killed or destroyed, or any part thereof, at one time, and may sell the same at retail to his local customers, and may sell the heads of such deer to any licensed taxidermist; provided, however, that said marketman or provision dealer, shall annually procure a license of the commissioners of inland fisheries and game to carry on said business of buying and selling deer as aforesaid; and provided, further, that said marketman shall record in a book kept for that purpose, and open to the inspection of inland fish and game wardens, deputy inland fish and game wardens, and the commissioners of inland fisheries and game, the name and residence of each person of whom he purchases any deer, and the date of such purchase; and if any marketman or provision dealer shall violate any provision of this section, he shall pay a fine of five hundred dollars, for each offense, and be prohibited for five years thereafter from the benefits of this section. All marketmen or provision dealers licensed as aforesaid shall pay to the commissioners of inland fisheries and game in cities and towns of over three thousand inhabitants, five dollars annually, and three dollars in all other places; said marketmen and provision dealers holding these licenses shall, on the twentieth day of each December, make, sign and send to the commissioners, under oath, a statement setting forth in detail the number of deer by them bought, and of whom bought, and the date of each purchase, during the time covered by their licenses; and whoever fails to make such report shall pay a fine of one hundred dollars and costs.

### **Licenses.**

**Sec. 71. Expiration of licenses and certificates.** All licenses or certificates issued by virtue of the provisions of this chapter shall expire with the calendar year in which issued.

**Sec. 72. Licenses and certificates may be suspended or revoked by commissioners.** If the holder of any license, certificate or permit, issued in conformity with any provision of this chapter, is charged with having violated or countenanced the violation of any provision of this chapter, the commissioners may, at their discretion, temporarily suspend such license, certificate or permit; and whenever the holder of such license, certificate or permit, as provided in this section, is convicted of the violation of any provision of this chapter, said commissioners may, at their discretion, cancel such license, certificate or permit and strike his name from the official record; but such license, certificate or permit may again be issued at the discretion of the commissioners. Any license, certificate or permit suspended or canceled by virtue of this section shall be immediately returned to the commissioners, under a penalty of fifty dollars for refusal or neglect to comply with this requirement.

### **Sunday and Night Hunting.**

**Sec. 73. Sunday hunting prohibited; penalty for violation.** Sunday is a closed season, on which it is not lawful to hunt, kill or destroy any wild animals or wild birds of any kind. Whoever hunts, kills, or destroys any wild animal or wild bird on Sunday shall pay a fine of not less than ten, nor more than forty dollars and costs for each offense; provided, however, that if protected wild animals or wild birds are hunted, killed, destroyed or had in possession in violation of this section, the penalty shall be the same as is now imposed therefor during other closed season; but the penalties imposed for the violation of the Sunday laws of the statutes of this state are not hereby repealed or diminished.

**Sec. 74. Night hunting prohibited; special provision as to raccoons.** There shall be a closed season on wild birds in this state from sunset to sunrise of the following morning, and on wild animals from one hour after sunset until one hour before sunrise of the following morning, during which closed season it shall be unlawful to hunt, kill or destroy wild birds or wild animals, of any kind. No person shall have in possession, at any time, any wild bird or wild animal, or part thereof, taken in violation of any provision of this section. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than fifty dollars and costs for each offense; provided, however, that if protected wild birds or wild animals are hunted, killed, destroyed or had in possession in violation of this section the penalty shall be the same as is now imposed therefor during other closed season; provided, further, that the provisions of this section shall not apply to the hunting of raccoons at night from August fifteenth to October thirty-first, following, of each year, both days inclusive.

**Introduction of Wild Birds or Animals.**

**Sec. 75. Wild birds and animals not to be introduced into state without consent of commissioners.** Whoever introduces or imports any wild bird or wild animal of any kind or species into the state, or whoever receives or has in possession such wild bird or wild animal so introduced or imported, except upon written permission of the commissioners of inland fisheries and game, shall forfeit not less than fifty dollars nor more than five hundred dollars and costs, for each offense.

**Reservations.**

**Sec. 76. Hunting on Kineo Point prohibited.** No person shall at any time hunt, pursue, shoot at or kill any wild bird or wild animal on Kineo Point, in Kineo, in the county of Piscataquis. Whoever violates this section shall pay a fine of not less than ten nor more than forty dollars and costs, for each offense.

**Sec. 77. Hunting in certain specified localities prohibited.** No person shall, except as herein provided, at any time, hunt, pursue, shoot at or kill any wild animal or any game or other wild bird within the following described territory situated in the town of Eden, in the county of Hancock: Bounded on the north and east by the Atlantic ocean, on the south by the highway leading from Hull's Cove bridge to the Beaver Dam bridge near Shea Brothers' farm, and on the west by the highway leading from said Beaver Dam bridge to Salisbury cove; or on Bartlett's island in Hancock county; or on the one hundred and twelve acres of land, more or less, comprising Prout's Neck, so-called, in the town of Scarborough, in the county of Cumberland; or on Richmond's island, so-called, in the town of Cape Elizabeth, in said county of Cumberland; or on the tract of land comprising sixteen hundred acres, more or less, situated in said town of Cape Elizabeth, and bounded as follows: Southerly by the sea, westerly by the Spurwink river, northerly by the Spurwink road, so-called, leading from Spurwink bridge to Bowery Beach, easterly by a certain private road or way which runs in a southerly direction from the aforesaid Spurwink road to said Bowery Beach, being the road which runs in front of the dwelling house of one Charles L. Jordan and along the easterly boundary of land of said Charles L. Jordan and along the westerly boundary of land of the Great Pond Club, but not including any portion of said Bowery Beach. It shall also be unlawful for any person to have in possession at any time any wild bird or wild animal, or part thereof, taken in violation of any provision of this section.

**Exceptions.** Provided, however, that the provisions of this section shall not prohibit any person residing on said island or within the limits of either of the above described reservations or preserves from shooting at or destroying any wild bird (except ruffed grouse or Hungarian partridge) or any wild animal, when found destroying his property; and provided, further, that the provisions of this section shall not be construed to prohibit the trapping of wild animals within the above described territory in accordance with the general laws of the state. Whoever violates any pro-

**CHAP. 219**

vision of this section shall be subject to a penalty of not less than ten, nor more than forty dollars and costs, for each offense.

**Sec. 78. Hunting in certain sections of Swan Island, Sagadahoc county, and Back Bay, Cumberland county, prohibited.** No person shall at any time hunt, chase, catch, kill or destroy any wild bird or any wild animal within the following described territory situated on the southerly point of Swan Island, in the county of Sagadahoc: All of the territory situated southerly of the land formerly owned by Robert Reed to highwater mark on the shores thereof; nor shall any person at any time, hunt, chase, catch, kill or destroy any water fowl or any other wild bird in Back Bay, so-called, in Portland, in the county of Cumberland, above the Grand Trunk Railway bridge. No person shall have in possession at any time any water-fowl or any other wild bird or any wild animal, or part thereof, taken in violation of any provision of this section. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than forty dollars and costs, for each offense.

**Sec. 79. Use of firearms on Megunticook lake and certain contiguous lands, prohibited. Special provision for Camden Rifle Club.** The use of firearms is hereby prohibited from the first day of April of each year to the thirtieth day of September following, both days inclusive, upon the waters of Megunticook lake, formerly called Canaan lake, and its tributary lakes, ponds and streams, and upon the land bordering on the same included within the following roads: Beginning at Hopkins' corner, so-called, in the town of Camden; thence via the Turnpike road, so-called, to Lincolnville center; thence to Wiley's corner in Lincolnville; thence to the Mansfield school house in the town of Camden; thence via the Fish Hatchery to place of beginning; all of said lake, its tributaries and shores being located in the towns of Camden, Lincolnville and Hope, in the counties of Knox and Waldo. Provided, however, that the Camden Rifle Club may establish and maintain a rifle range for target practice within the limits above mentioned, said practice to be held under the regulations of the United States War Department as established by the national board for the promotion of rifle practice in the United States. Whoever violates any provision of this section shall pay a fine of not less than ten, nor more than thirty dollars and costs for each offense.

#### **Devices for Deadening Sound.**

**Sec. 80. Devices for deadening sound of explosion prohibited; penalties.** No person shall sell, offer for sale, use or have in his possession, any gun, pistol, or other firearm, fitted or contrived with any device for deadening the sound of explosion. Whoever violates any provision of this section shall forfeit such firearm or firearms and the device or silencer, and shall further be subject to a fine not exceeding one hundred dollars, or to imprisonment not exceeding sixty days, or to both fine and imprisonment. Any sheriff, deputy sheriff, constable, inland fish and game warden or deputy inland fish and game warden may seize any firearm or firearms and any device or silencer found in possession of any person in violation of this

## CHAP. 219

section, and on conviction of the party from whom such firearm or firearms are seized, such firearm or firearms shall be sold, the proceeds to be paid to the treasurer of state, and the device or silencer shall be destroyed. This section does not apply to military organizations authorized by law to bear arms, or to the national guard in the performance of its duty. All fines, penalties and forfeitures recovered by any person for any violation of this section shall be paid forthwith by the person receiving the same to the treasurer of state, to be credited to fines and license fees for the protection of birds and game.

**Search and Seizure.**

**Sec. 81. Disposition of fish and game seized on account of violation of law.** All birds, fish, game or other wild animals, or parts thereof, hunted, caught, killed, destroyed, bought, sold, carried, transported, or found in possession of any person or corporation, in violation of any provision of this chapter, shall be liable to seizure, and in case of conviction for such violation, the same shall be forfeited to the state, to be sold for the benefit of the state. Any person whose birds, fish, game or other wild animals, or parts thereof, have been seized for violation of any game or fish law, shall have it returned to him on giving to the officer a bond with sufficient sureties, who shall be residents of the state, in double the amount of the fine for such violation, conditioned that, if convicted of such violation, he will, within thirty days thereafter, pay such fine and costs. If he neglects or refuses to give such bond and take the birds, fish, game or other wild animals, or parts thereof, so seized, he shall have no action against the officer for such seizure or for the loss of the birds, fish, game or other wild animals, or parts thereof, seized.

**Sec. 82. Officer seizing fish or game to report to commissioners within ten days.** In all cases, the officer making any seizure or sale of birds, fish, game or other wild animals, or parts thereof, shall within ten days thereafter, report all the particulars thereof and an itemized statement of the proceeds, expenses and fees, and the disposition thereof to the commissioners of inland fisheries and game at Augusta. The failure of any person or officer to perform any act, duty, or obligation enjoined upon him by this chapter, shall be deemed a violation thereof.

**Sec. 83. Search and seizure and arrests may be made without warrant; exemptions.** The commissioners of inland fisheries and game and every inland fish and game warden and deputy inland fish and game warden may arrest, with or without a warrant, any person whom he has reason to believe guilty of a violation of any provision of this chapter and with or without a warrant, may open, enter and examine all buildings, camps, vessels, boats, wagons, cars, stages, tents, and other receptacles and places, and examine all boxes, barrels and packages where he has reason to believe that birds, fish, game or other wild animals, or parts thereof, taken or held in violation of this chapter are to be found, and seize such birds, fish, game or other wild animals, or parts thereof, if any be found therein; but no dwelling-house shall be searched for the above purposes without a warrant and then only in the day time, and no sealed rail-

**CHAP. 219**

road car shall be entered for the above purposes without such warrant. Any magistrate may issue warrants to search, within his jurisdiction, any dwelling-house, in the day time, or any other place at any time, for the purposes above set forth, to any inland fish and game commissioner or to any inland fish and game warden or deputy inland fish and game warden, sheriff or any of his deputies; such warrants shall be issued subject to the requirements of section thirteen of chapter one hundred and thirty-four; provided, however, that the inland fish and game commissioners shall, on or before the first day of October of each year, in writing, notify the superintendents of all transportation companies doing business within the state, of the names of the inland fish and game wardens and deputy inland fish and game wardens by them designated to exercise the right of search of railroad cars as herein provided, and no others shall, except those so designated, be authorized to exercise the powers herein mentioned as to search of railroad cars.

**Jurisdiction of Offenses—Court Proceedings, etc.**

**Sec. 84. Officer may arrest without process; penalty for abuse of power.** Any officer authorized to enforce the inland fish and game laws may, without process, arrest any violator of said laws, and shall with reasonable diligence, cause him to be taken before any trial justice or any municipal or police court, in the county where the offense was committed, or in any adjoining county, for a warrant and trial. Jurisdiction in such cases is hereby granted to all trial justices and all other courts to be exercised in the same manner as if the offense had been committed in that county; and any officer who shall maliciously, or without probable cause, abuse his power in such proceedings shall upon conviction be punished by a fine of not exceeding one hundred dollars, and costs, or by imprisonment not exceeding three months.

**Sec. 85. Jurisdiction of offenses.** Trial justices, police and municipal courts within their counties shall have, upon complaint, original and concurrent jurisdiction with the supreme judicial court and superior courts in all prosecutions under any inland fish and game law.

**Sec. 86. Fines and penalties to be paid to commissioners and turned over to state treasurer. Penalty for failure of officer to remit.** All fines and penalties recovered, or money received or collected, under any provision of this chapter, after deducting legal taxable costs, shall be paid forthwith by the person receiving the same to the commissioners of inland fisheries and game, at Augusta, Maine, to be paid by them to the treasurer of state. Any officer or other person who shall receive any fine or penalty or any part thereof, for the violation of any inland fish or game law, and shall neglect for more than thirty days to pay the same to the commissioners of inland fisheries and game, as herein provided, shall pay a fine of not less than fifty, nor more than one hundred dollars, and costs of prosecution for each offense.

**Sec. 87. Violations may be settled by commissioners. Fines to be applied to department.** The provisions of section ninety-three or chapter



forty-five, relating to the powers of the commissioners of sea and shore fisheries, are hereby extended to the commissioners of inland fisheries and game.

**Sec. 88. Proceedings in case of violation by corporation.** In case of violation of any provision of this chapter by a corporation, the warrant may be served by an attested copy, on the president, secretary, manager, or any general agent thereof in the county where the action is pending, and upon return of such warrant so served, the corporation shall be deemed in court and subject to the jurisdiction thereof, and any fine imposed may be collected by execution against the property of such corporation; but this section shall not be deemed to exempt any agent or employee from prosecution.

**Sec. 89. County attorneys to prosecute violations.** Each county attorney shall prosecute all violations of this chapter occurring within his county, when such cases may come to his knowledge, or when he may be so requested by the commissioners of inland fisheries and game, or any officer charged with its enforcement; such prosecution shall at all times be subject to the supervision and control of the commissioners.

**Sec. 90. Participant in violation may be compelled to testify.** In any prosecution under this chapter, any participant in a violation thereof, when so requested by the county attorney, commissioners of inland fisheries and game, or other officer instituting the prosecution, may be compelled to testify as a witness against any other person charged with violating the same, but his evidence so given shall not be used against himself in any prosecution for such violation.

**Sec. 91. Result of court cases to be reported to commissioners.** Every magistrate or the clerk of the court before whom any prosecution under this chapter is commenced, or shall go on appeal, within twenty days after the trial or dismissal thereof, shall report in writing the result thereof and the amount of fines collected, if any, and the disposition thereof, to the commissioners of inland fisheries and game at Augusta.

#### **Repeal of Inconsistent Legislation.**

**Sec. 92. Inconsistent statutes and acts not incorporated herein repealed. Exceptions.** All acts and parts of acts whether public or, so called, private and special, which are inconsistent with the provisions of this act, and all acts and parts of acts, whether public or private and special, relating to inland fish, game and birds, and which are not incorporated in this act, and all rules and regulations of the commissioners of inland fisheries and game, are hereby repealed.

But this act shall not be construed as repealing any of the laws pertaining to sea and shore fisheries or section one hundred sixteen of chapter four of the revised statutes or sections thirty-four, thirty-five, thirty-six, thirty-eight, thirty-nine, forty and forty-one of chapter eight of the revised statutes or section eighteen of chapter twenty of the revised statutes or sections thirteen, fourteen and fifteen of chapter twenty-three of

**CHAP. 220**

the revised statutes or section four of chapter fifty-nine of the revised statutes or section twenty-four of chapter one hundred seventeen of the revised statutes or sections three and four of chapter one hundred twenty of the revised statutes or section twenty-three of chapter one hundred twenty-four of the revised statutes as amended by chapter sixteen of the public laws of nineteen hundred and seventeen or section twenty-five of chapter one hundred twenty-four of the revised statutes, or chapter sixty-six of the public laws of nineteen hundred and seventeen.

Approved April 6, 1917.

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## Chapter 220.

An Act to Amend Section Nineteen of Chapter One Hundred Seventeen of the Revised Statutes, Relating to the Banking Department.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 19, relating to the banking department, amended.** Amend section nineteen of chapter one hundred seventeen of the revised statutes by striking out in the second line of said section the words "two thousand five hundred" and in place thereof inserting the words 'four thousand'; also amend said section by striking out the word "two" in the seventh line of said section and in place thereof inserting the word 'one'; also amend said section by striking out the word "commissioners" in the last line of the first paragraph and in place thereof inserting the word 'commssioner'. Also further amend said section by adding after the word "commissioner," as amended, in the last line of said paragraph, the following: 'and two of said clerks may be designated as examiners'. Also further amend said section by striking out the last three lines of said section, being the second paragraph of said section, and in place thereof inserting the following: 'The deputy bank commissioner shall perform the duties of the bank commissioner whenever the latter shall be absent from the state or when directed by the bank commissioner. The deputy bank commissioner shall receive an annual salary of twenty-two hundred dollars; one examiner shall receive an annual salary of eighteen hundred dollars, and one examiner shall receive an annual salary of fifteen hundred dollars. The deputy bank commissioner and the two examiners shall receive their actual traveling expenses incurred in the performance of their official duties, the payment of which shall be subject to the approval of the governor and council', so that said section as amended shall read as follows:

**'Sec. 19. Salary of commissioner increased to \$4,000; but one deputy commissioner; salary \$2,200. May be two examiners; salaries \$1,800 and \$1,500.** The bank commissioner shall receive an annual salary of four thousand dollars; he shall receive his actual traveling expenses incurred in the performance of his official duties, and the reasonable and necessary expenses of his office, the payment of which shall be subject to the approval of the governor and council. He may employ at the expense of the state one

## CHAP. 221

or more clerks, as the business of the office may require, one of whom may be designated as deputy bank commissioner, and two of said clerks may be designated as examiners. The deputy bank commissioner shall perform the duties of the bank commissioner whenever the latter shall be absent from the state or when directed by the bank commissioner. The deputy bank commissioner shall receive an annual salary of twenty-two hundred dollars; one examiner shall receive an annual salary of eighteen hundred dollars, and one examiner shall receive an annual salary of fifteen hundred dollars. The deputy bank commissioner and the two examiners shall receive their actual traveling expenses incurred in the performance of their official duties, the payment of which shall be subject to the approval of the governor and council.

Approved April 7, 1917.

## Chapter 221.

An Act to Amend Section Sixty-five of Chapter One Hundred Twenty-six of the Revised Statutes, Relating to the Appointment of Cruelty Officers.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 126, § 65, relating to appointment of officers to prevent cruelty to animals, amended.** Section sixty-five of chapter one hundred twenty-six of the revised statutes is hereby amended by adding after the word "town" in the second line thereof, the words 'the county commissioners of any county', so that said section as amended shall read as follows:

**'Sec. 65. Application for appointment of officer may be made by county commissioners.** Upon application by the mayor and aldermen of any city, the selectmen of any town, the county commissioners of any county, or the president and three directors of any society for the prevention of cruelty to animals, the governor and council shall issue a badge and commission to any person designated, to arrest any person charged with violating any of the preceding twenty-one sections, the same as any sheriff, deputy sheriff or constable can do, and whose jurisdiction shall extend throughout the state.'

Approved April 7, 1917.

## Chapter 222.

An Act to Provide for Mothers with Dependent Children.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Cities and towns to render aid to mothers with dependent children.** Every city and town shall, subject to the provisions hereinafter contained, render suitable and needful aid to any mother residing therein, with a dependent child or children under the age of fourteen years, who needs and desires such aid to enable her to maintain herself and children in her home

## CHAP. 222

and who is fit and capable, mentally, morally and physically to bring up her children.

**Sec. 2. Settlement in state not necessary; not to be deemed paupers.** This act shall apply to all mothers and their dependent children, whether or not they or any of them may have a settlement in this state, who shall have resided in the state for not less than five consecutive years next prior to making application for aid. No mother, nor any of her children shall acquire a settlement or be in process of acquiring a settlement while receiving aid nor be deemed a pauper by reason of receiving such aid.

**Sec. 3. Aid may be in money or supplies; amount.** Such aid shall not exceed the value of ten dollars a month to a mother having but one child under the age of fourteen years, with a further allowance not exceeding four dollars a month in value for each additional child; the aid to be furnished hereunder may be furnished either in money or supplies or both.

**Sec. 4. State board created.** A state board of mother's aid hereinafter referred to as the "state board" is hereby created to serve without compensation, and to consist of the members of the state board of charities and corrections, ex officio. The secretary of said state board of charities and corrections shall be ex officio secretary of the state board of mother's aid, and serve without additional compensation as such.

**Municipal board.** In each city, town and plantation there shall be, and hereby is, created a municipal board of mother's aid, hereinafter referred to as the "municipal board" to consist of the overseers or board of overseers of the poor ex officio, unless the city by ordinance or the town or plantation by vote upon warrant shall provide for a special board of not fewer than three persons, one of whom at least shall be a woman, appointed or elected for three year terms, one term expiring each year, to serve as such "municipal board." The members of such municipal board shall serve without compensation as such.

**Duties of municipal board.** The municipal board shall keep a record of all applicants investigated, visit regularly or cause to be visited by some agent in their behalf the home of each mother aided hereunder; see that her children are actually living with her in her home, observe the conditions of the home and of the family and make and keep a record of such visits and any fact observed which bears upon the necessity or advisability of continuance of aid under this act and report the same to the state board.

**Sec. 5. Mother to make application to municipal board; form of blank. Penalty for false statement.** Any mother entitled thereto needing and desiring aid herein provided for may apply therefor personally or by letter to said municipal board. The board shall thereupon cause the applicant to fill out and sign an application blank or shall fill out the same from information furnished by the applicant who shall sign it, in which shall be stated: first, name of the applicant and that of her husband, the time and place of her marriage, and whether her husband is living or deceased; second, the names and ages of her children, whether those under compulsory school attendance are attending and what school, and if not, the reason of such non attendance; third, her present residence and address, the length of time she has been a

resident of this state and where she has resided therein; fourth, the nature and amount of any property possessed by herself or her husband, if living, and her children, and the extent and source of their income and hers; fifth, the name and addresses of her near relatives and those of her husband, and of one or more persons to whom reference may be made for information; sixth, a statement that the applicant will agree to employ all aid received by her under this act solely for the support of herself and her children under the age of fourteen years, and for their proper upbringing in her home. The board may, if it deems proper, require any such application and the statements made therein to be substantiated by the oath or affirmation of the applicant.

Any person who shall knowingly, wilfully and with intent to deceive make any false statement in said application blank shall be punished by a fine of not more than five hundred dollars or by imprisonment not exceeding one year, or both.

**Sec. 6. Investigation of applications to be made by municipal board.** When such application has been made to the municipal board, it shall forthwith make careful investigation by personally interviewing the mother in her home, looking up her references, and pursuing such other sources of information as are available, for the purpose of determining, first, the truth of the statements contained in her application; second, whether she is a fit and capable person to bring up her children, and whether the inmates and surroundings of her household are such as to render it suitable for her children to reside at home; third, whether the child or children of the applicant are attending school, and if not why; fourth, whether under all the circumstances, considering her own resources and the ability of any member of her family to contribute to her support, the possibility of receiving aid from other relatives, individuals, agencies, or child welfare organizations, and the possibility of compelling contributions by any person under legal obligation so to do, such mother is in need of aid under the provisions of this act, and if so, in what amount.

**Sec. 7. State board to make final decision.** The municipal board shall thereupon file with the state board a copy of said application and a written report embodying the results of their investigation and their recommendations thereon, and the state board shall determine all matters in question, and communicate in writing its decision to the municipal board. If the applicant is held entitled to aid, the state board shall determine its character and amount, which may be less than, but shall not exceed, the amount recommended by the municipal board. The town shall thereupon, pursuant to such decision, pay the same in money or its value to the applicant, or to some person designated by the state board upon the recommendation of the municipal board, who shall expend it for the purposes and in the manner set forth in the decision. The state board may revise its decision whenever it deems it necessary or equitable so to do, but shall not increase the amount of aid previously awarded except with the consent of the municipal board, nor decrease it without giving said board opportunity to be heard.

**Sec. 8. State board to investigate upon failure of municipal board. Expenses charged to town.** If the said municipal board shall fail for thirty

## CHAP. 223

their clerks and the weekly wages at which they may be employed. Clerks shall be allowed a vacation not to exceed two weeks in any one year without loss of pay. The total sums to be paid annually to such clerks as wages shall not exceed the following:

In Androscoggin county; for clerks in the office of register of deeds, one thousand and forty dollars; for clerks in the office of register of probate, five hundred twenty dollars; for clerks in the office of clerk of courts, six hundred dollars.

In Aroostook County; for clerks in the office of register of deeds of the northern district, five hundred dollars; for clerks in the office of register of deeds of the southern district, one thousand five hundred dollars; for clerks in the office of register of probate, six hundred twenty-four dollars; for clerks in the office of clerk of courts, one thousand eight hundred dollars.

Cumberland county; for clerks in the office of register of deeds, two thousand seven hundred dollars; for clerks in the office of register of probate, two thousand one hundred dollars; for clerks in the office of clerk of courts, two thousand two hundred dollars; for clerks in the office of the recorder of Portland municipal court, one thousand and forty dollars.

Franklin county; for clerks in the office of register of deeds, three hundred dollars; for clerks in the office of register of probate, two hundred dollars; for clerks in the office of clerk of courts, three hundred dollars.

Hancock county; for clerks in the office of register of deeds, one thousand five hundred dollars; for clerks in the office of register of probate, five hundred twenty dollars; for clerks in the office of clerk of courts, six hundred dollars.

Kennebec county; for clerks in the office of register of deeds, one thousand seven hundred dollars; for clerks in the office of register of probate, six hundred dollars; for clerks in the office of clerk of courts, one thousand three hundred dollars.

Knox county; for clerks in the office of register of deeds, two hundred fifty dollars; for clerks in the office of register of probate, two hundred fifty dollars; for clerks in the office of clerk of courts, three hundred dollars.

Lincoln county; for clerks in the office of register of deeds, two hundred dollars; for clerks in the office of register of probate, one hundred sixty dollars; for clerks in the office of clerk of courts, one hundred dollars.

Oxford county; for clerks in the office of register of deeds, six hundred dollars; for clerks in the office of register of probate, two hundred dollars; for clerks in the office of clerk of courts, two hundred dollars.

Penobscot county; for clerks in the office of register of deeds, one thousand eight hundred dollars; for clerks in the office of register of probate, one thousand two hundred dollars; for clerks in the office of clerk of courts, one thousand two hundred dollars.

Piscataquis county; for clerks in the office of register of deeds, five hundred dollars; for clerks in the office of register of probate, two hundred dollars; for clerks in the office of clerk of courts, five hundred dollars.

Sagadahoc county; for clerks in the office of register of deeds, four hundred dollars; for clerks in the office of register of probate, four hundred dollars; for clerks in the office of clerk of courts, four hundred dollars.

Somerset county; for clerks in the office of register of deeds, five hundred

## CHAP. 224

dollars; for clerks in the office of register of probate, one hundred fifty dollars; for clerks in the office of clerk of courts, six hundred dollars.

Waldo county; for clerks in the office of register of deeds, seven hundred eighty dollars; for clerks in the office of register of probate, one hundred dollars; for clerks in the office of clerk of courts, five hundred dollars.

Washington county; for clerks in the office of register of deeds, five hundred twenty dollars; for clerks in the office of register of probate, five hundred twenty dollars, for clerks in the office of clerk of courts, five hundred twenty dollars.

York county; for clerks in the office of register of deeds, one thousand six hundred dollars; for clerks in the office of register of probate, one thousand dollars; for clerks in the office of clerk of courts, seven hundred fifty dollars.'

Approved April 7, 1917.

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## Chapter 224.

**An Act Relating to Insurance Rates and Providing for Approval of the Same by Insurance Commissioner before Promulgation and Use.**

*Be it enacted by the People of the State of Maine, as follows:*

**Workmen's Compensation insurance rates to be filed with commissioner.** The insurance commissioner may require the filing of specific rates for Workmen's Compensation insurance including classifications of risks, experience or any other rating information from insurance companies, authorized to transact such insurance in Maine, and may make or cause to be made such investigations as may be deemed necessary to satisfy himself that such rates are correct and proper before giving his approval and permitting such rates to be promulgated for the use of said companies.

Approved April 7, 1917.

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## Chapter 225.

**An Act to Prevent Public Discrimination by Reason of Religious Creed at Places of Public Accommodation, Resort or Amusement.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Places of public accommodation prohibited from issuing or distributing printed notices discriminating against persons on account of religious sect or nationality.** No person, being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement, shall directly or indirectly, by himself or another, publish, issue, circulate, distribute or display, in any way, any advertisement, circular, folder, book, pamphlet, written or painted or printed notice or sign, of any kind or description, intended to discriminate against or actually discriminating against persons of any religious sect, creed, class,

**CHAP. 226**

denomination, or nationality, in the full enjoyment of the accommodations, advantages, facilities or privileges offered to the general public by such places of public accommodation, resort or amusement.

**Sec. 2. Term "place of public accommodation" defined.** A place of public accommodation, resort or amusement within the meaning of this act shall be deemed to include any inn, whether conducted for the entertainment, housing, or lodging of transient guests, or for the benefit, use or accommodation of those seeking health, recreation or rest, any restaurant, eating-house, public conveyance on land or water, bath-house, barber-shop, theatre and music-hall.

**Sec. 3. Specific inquiries may be answered by mail.** Nothing in this act contained shall be construed to prohibit the mailing of a private communication in writing, sent in response to specific written inquiry.

**Sec. 4. Penalty for violations.** Any person who shall violate any of the provisions of this act, or who shall aid in or incite, cause or bring about, in whole or in part, the violation of the provisions of this act, shall, for each and every violation be liable to a fine of not more than one hundred dollars, or shall be imprisoned not more than thirty days, or shall be subject to both such fine and imprisonment.

Approved April 7, 1917.

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## Chapter 226.

An Act to Amend Sections Eighty-five and Eighty-seven of Chapter Two of the Revised Statutes, Relating to the State Contingent Fund.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 2, § 85, relating to state contingent fund, amended.** Section eighty-five of chapter two of the revised statutes is hereby amended by striking out the words "first day of January" in the fourth line thereof and inserting in place thereof the words 'thirtieth day of June;' also by adding to said section the following words: 'provided, however, that unexpended balances existing on December thirty-first, excepting those continued by law, or such as relate to the issue and payment of state bonds, temporary loans or special funds in the state treasury, may, in the discretion of the governor and council, be credited to said state contingent fund on that date;' so that said section as amended shall read as follows:

**'Sec. 85. Appropriations lapse June 30th. Certain balances may be credited to contingent fund December 31st.** The state auditor and treasurer of state shall open on their books an account to be known as the state contingent fund, to which shall be transferred and credited all balances of unexpended appropriations which exist on the thirtieth day of June of each year and which are not continued by law, except such appropriations as relate to the issue and payment of state bonds, temporary loans and special funds in the state treasury department. There shall also be credited to said account on the first day of January of each year, or as soon thereafter as the



amount can be correctly ascertained, the amount by which the actual income of the state for the preceding year exceeds the current expenses of said year; provided, however, that unexpended balances existing on December thirty-first, excepting those continued by law, or such as relate to the issue and payment of state bonds, temporary loans or special funds in the state treasury, may, in the discretion of the governor and council, be credited to said state contingent fund on that date.'

**Sec. 2. R. S., c. 2, § 87, relating to drafts upon contingent fund, amended.** Section eighty-seven of chapter two of the revised statutes is hereby amended by inserting after the word "authorize" in the eighth line thereof the words, 'and so much of said fund as may be necessary for said purposes is hereby appropriated to pay such bills and expenses;' so that said section as amended shall read as follows:

**'Sec. 87. Appropriation from contingent fund provided.** Warrants may be drawn upon, charged to, and paid out of said fund, to pay outstanding bills or accounts that were properly chargeable to the several appropriations previous to the first day of January of each year; to pay outstanding bills necessarily contracted by state departments or state institutions for which the legislature failed to make sufficient provision, and to pay such other expenses as may be necessarily incurred under any requirement of law or for the maintenance of government, and which the governor, with the advice and consent of the council, shall authorize, and so much of said fund as may be necessary for said purposes is hereby appropriated to pay such bills and expenses; provided, however, that no payment shall be made from this fund, except as above provided, unless some emergency shall arise requiring an expenditure of money not provided for by the legislature.'

Approved April 7, 1917.

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## Chapter 227.

**An Act to Amend Section Fifty-one of Chapter Eighty-two of the Revised Statutes Relating to Trial Terms of the Supreme Judicial Court of Hancock County.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 82, § 51, relating to trial courts, amended.** Section fifty-one of chapter eighty-two of the revised statutes is hereby amended by striking out the words "second Tuesdays of April and October" in the twenty-fourth line of said section, and substituting therefor the words, 'fourth Tuesday of April and second Tuesday of October,' so that said section as amended shall read as follows:

**'Sec. 51. Date in Hancock county changed.** For the trial of civil actions and of persons accused of offenses, and for the transactions of all other business, except cases named in section forty-six, the court shall be held annually by one justice, at the following places and times; and the justices shall so hold said terms, under the direction of the chief justice, that their services shall be divided to each county as equally as may be.

**CHAP. 227**

In the county of Androscoggin at Auburn, on the third Tuesdays of January, April and September;

Aroostook, at Houlton, on the third Tuesdays of April and November, for civil and criminal business, and at Caribou on the first Tuesdays of February and September, for civil business only; at each term of which the court shall place upon the trial list and hear only such civil actions pending in said court as may be more conveniently tried at that term, except that by agreement of attorneys interested other cases may be placed upon such trial list;

Cumberland, at Portland, on the second Tuesdays of January, April and October, for civil business;

Franklin at Farmington, on the first Tuesday of February, third Tuesday of May, and the second Tuesday of September; the May term shall be held without a grand jury and with but one traverse jury, unless a justice of said court shall otherwise specially order, in which case the clerk shall send venires for the requisite number of traverse jurors, and shall summon the grand jury of the preceding term, as the terms of said order may require. All recognizances from municipal courts and trial justices in which parties are held to await the action of the grand jury, made returnable to said May term, shall, when no grand jury is in attendance, be continued to and have day in the next term of the court held in said county;

Hancock, at Ellsworth, on the fourth Tuesday of April and second Tuesday of October;

Kennebec, at Augusta, on the first Tuesday of March, and the second Tuesday of October, for civil business;

Knox, at Rockland, on the second Tuesday of January, first Tuesday of April, and the second Tuesday of September;

Lincoln, at Wiscasset, on the fourth Tuesdays of April and October;

Oxford, at Paris, on the second Tuesdays of March and October, and at Rumford Falls, in the town of Rumford, on the second Tuesday of May. The May term shall be held without a grand jury unless specially ordered by any judge of said court. All recognizances and other criminal processes made returnable to and to have day in said May term, when no criminal business is transacted, shall be continued to and have day in the next term of said court held in said county;

Penobscot, at Bangor, on the first Tuesdays of January, April and October, for civil business, and on the first Tuesdays of February and September, for criminal business;

Piscataquis, at Dover, on the second Tuesdays of March and September;

Sagadahoc, at Bath, on the fourth Tuesday of January, and the second Tuesdays of May and October;

Somerset, at Skowhegan, on the fourth Tuesday of January, first Tuesday of April, and the third Tuesday of September;

Waldo, at Belfast, on the first Tuesday of January, and the third Tuesday of April and the fourth Tuesday of September;

Washington, at Machias, on the first Tuesday of January and the second Tuesday of October, and at Calais on the first Tuesday of May;

York, at Saco, on the first Tuesday of January, and at Alfred on the first Tuesday of May and the third Tuesday of September.'

## Chapter 228.

**An Act to Amend Section One Hundred and Eight of Chapter Sixteen of the Revised Statutes, Relating to Teaching in the Public Schools the Principles of Kindness toward Birds and Animals.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 16, § 108, relating to the inculcation of justice, patriotism, kindness, etc., in public schools, amended.** Section one hundred and eight of chapter sixteen of the revised statutes is hereby amended by striking out all of said section after the word "than" in the fourteenth line thereof, and inserting in place thereof the words 'one half hour of each week of the school term, to teaching to the children under their charge, in correlation with other studies of the school curriculum, the great principles of humanity as illustrated by kindness to birds and animals and regard for all factors which contribute to the well being of man,' so that said section shall read as follows:

**'Sec. 108. Half hour of each week to be devoted to teaching great principles of humanity.** The presidents, professors and tutors of colleges, the preceptors and teachers of academies, and all other instructors of youth, in public or private institutions, shall use their best endeavors to impress on the minds of the children and youth committed to their care and instruction, the principles of morality and justice, and a sacred regard for truth; love of country, humanity and a universal benevolence; sobriety, industry and frugality; chastity, moderation and temperance; and all other virtues which ornament human society; and to lead those under their care, as their ages and capacities admit, into a particular understanding of the tendency of such virtues to preserve and perfect a republican constitution, secure the blessings of liberty, and to promote their future happiness; and the tendency of the opposite vices, to slavery, degradation and ruin; all teachers in the public schools of the state shall devote not less than one half hour of each week of the school term, to teaching to the children under their charge, in correlation with other studies of the school curriculum, the great principles of humanity as illustrated by kindness to birds and animals and regard for all factors which contribute to the well being of man.'

Approved April 7, 1917.

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## Chapter 229.

**An Act to Amend Section Eighty-five of Chapter Sixteen of the Revised Statutes, Increasing the Maximum Annual Tuition in Secondary Schools of the State.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 16, § 85, relating to the payment of tuition by towns not maintaining a secondary school, amended.** Section eighty-five of chapter sixteen of the revised statutes is hereby amended by striking out the word "thirty" in the seventh line thereof and inserting in its place the word 'thirty-six,' so that said section as amended shall read as follows:

## CHAP. 230

**'Sec. 85. Maximum sum for tuition increased to \$36.** Any youth who resides with a parent or guardian in any town which does not support and maintain a standard secondary school, may attend any approved secondary school to which he may gain entrance by permission of those having charge thereof, provided the said youth shall attend a school or schools whose courses are approved by the state superintendent of public schools, and in such case the tuition of said youth, not to exceed thirty-six dollars annually for any one youth, shall be paid by the town in which he resides as aforesaid, and said tuition so paid, shall be made a part of the high school fund of the town receiving the same; and towns shall raise annually, as other school moneys are raised, a sum sufficient to pay such tuition charges; provided, however, that no youth shall be entitled to free tuition under the provisions of this section unless he shall have satisfactorily passed an examination in common school branches, said examination having been given under the direction of the superintendent of schools of the town wherein such youth resides, on papers procured from the state superintendent of public schools, or unless such youth shall have satisfactorily completed a standard common school course of study which has been approved by the state superintendent of public schools; except that any youth who has satisfactorily completed the course of a B or C class high school, as provided by section seventy-three, shall be entitled to his free tuition as hereinbefore provided for the completion of the four years of a standard secondary course without the examination herein prescribed; provided, further, that such free tuition privilege shall continue only so long as said youth shall maintain a satisfactory standard of deportment and scholarship. Any youth who otherwise meets the requirements of this section with reference to admission to secondary schools shall be entitled to the payment of his tuition, as herein provided, in any high school of the B or C class for such part of the course of such high school as may be approved as equivalent in grade to the corresponding years of a standard secondary course. Superintendents of schools shall issue certificates of free tuition privilege to persons who may be entitled to free tuition under the provisions of this section.'

Approved April 7, 1917.

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## Chapter 230.

**An Act to Provide Compensation for Injuries Received by State Employees.**

*Be it enacted by the People of the State of Maine, as follows:*

**Workmen's compensation act applicable to state employees.** All persons employed by the state or under the direction and control of any department of the state shall be entitled to the benefits of chapter fifty of the revised statutes. The governor and council shall order such compensation as shall be assessed, paid from the state contingent fund.

Approved April 7, 1917.

## Chapter 231.

An Act to Repeal Section Twelve of Chapter One Hundred and Twenty-eight of the Revised Statutes Relating to Intention to Defraud in Lumbering Operations.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 123, § 12, relating to intention to defraud in lumbering operations, repealed.** Section twelve of chapter one hundred and twenty-eight of the revised statutes is hereby repealed.

Approved April 7, 1917.

## Chapter 232.

An Act to Amend Section Twenty of Chapter One Hundred Forty-four of the Revised Statutes, Relating to the Commitment of Girls to the State School for Girls.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 144, § 20, relating to commitment, amended.** That section twenty of chapter one hundred forty-four of the revised statutes relating to the commitment of girls to the State School for Girls be amended by the addition after the word "process" in the sixteenth line, of the words: 'Upon commitment of such girl the judge or trial justice shall designate a woman to be an attendant to accompany her to said school,' and by the addition after the word "cases" in the eighteenth line of said section of the words 'and the fees of such woman attendant shall be the same as provided for aids in criminal cases,' and by the addition after the word "for" in the eighteenth line of said section of the words 'all fees,' so that said section when amended shall read as follows:

**'Sec. 20. Woman attendant shall be designated to accompany girl; payment of attendant's fees.** A parent or guardian of any girl between the ages of six and sixteen years, the municipal officers, or any three respectable inhabitants of any city or town, where she may be found, may complain in writing to the judge of probate or any trial justice in the county, or to the judge of the municipal or police court for such city or town, alleging that she is leading an idle or vicious life, or has been found in circumstances of manifest danger of falling into habits of vice or immorality, and request that she may be committed to the guardianship of the officers of said school. The judge or justice shall appoint a time and place of hearing, and order notice thereof to all persons entitled to be heard, and at such time and place, may examine into the truth of said allegations, and if satisfactory evidence thereof is adduced, and it appears that the welfare of such girl requires it, he may order her to be committed to the custody and guardianship of the officers of said school during her minority, unless sooner discharged by process of law. All precepts issued in pursuance of this section may be executed by any officer who may execute civil process. Upon commitment of such girl if the officer to whom the mittimus or order of commitment is addressed is not a

**CHAP. 233**

woman the judge or trial justice shall designate a woman to be an attendant to accompany her to said school, and the fees of judges of municipal and police courts, trial justices and officers shall be the same as for similar services in civil cases, and the fees of such woman attendant shall be the same as provided for aids in criminal cases, and when not otherwise provided for, all fees shall be audited by the county commissioners and paid from the county treasury.'

Approved April 7, 1917.

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## Chapter 233.

An Act to Amend Section Eighteen of Chapter Forty-five of the Revised Statutes, Relating to Regulation of Lobster Industry.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 45, § 18, relating to lobster licenses, amended. Section eighteen of chapter forty-five of the revised statutes is hereby amended by adding after the word "license" in the fourth line thereof, the following words: 'or to persons, firms or corporations conducting hotels, restaurants or boarding-houses within the state to give away, sell or expose for sale within the state', so that said section as amended shall read as follows:

'Sec. 18. Licenses may be issued to persons, firms or corporations conducting hotels, boarding houses, etc. The commissioner of sea and shore fisheries shall grant and issue licenses to any citizen of this state, or to any person who has resided in this state for one year immediately preceding the date of application for license, or to persons, firms or corporations conducting hotels, restaurants or boarding-houses, within the state, to give away, sell, or expose for sale within the state, or to corporations or firms engaged in the lobster business located in this state or other states, to catch, take, hold, buy, ship, transport, carry, give away, remove, sell or expose for sale, within this state, and have in his or its possession lobsters from the waters within the jurisdiction of this state, in the manner, at the time and subject to the regulations provided in sections seventeen to thirty-four, both inclusive. Applications for licenses shall be made upon special forms provided by the commissioner of sea and shore fisheries, and the said commissioner shall keep the clerks of the various cities, towns and plantations bordering on the seashore, and other clerks who request them, supplied with blank applications; said clerks shall keep a supply of the same on hand and furnish them to all applicants. All applications, when filled out, shall be forwarded to the office of said commissioner, together with the fees for same. Such licenses shall be granted to expire on the last day of November next succeeding the granting of the same, unless sooner revoked, as provided in section twenty, and each person, firm or corporation to whom licenses shall be granted, shall, for each license, pay to said commissioner the sum of one dollar for the use of the state, to be forwarded to the treasurer of state; which amounts shall be credited to and be a part of the funds to be used for operating expenses in the department of sea and shore fisheries. The com-

missioner, in his biennial report shall state the number of licenses granted, the names of the parties licensed and the amount of money received therefor. He shall issue to each person, firm or corporation licensed as aforesaid a certificate, stating the name of the person, firm or corporation to whom such license has been granted, the number of said license and the date of expiration of such license.'

Approved April 7, 1917.

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## Chapter 234.

An Act to Amend Section Twenty-three of Chapter Twenty-six of the Revised Statutes, Relating to the Registration of Motor Vehicles.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 26, § 23, relating to registration fee of motor vehicles, amended.** Section twenty-three of chapter twenty-six of the revised statutes is hereby amended by striking out the word "twenty" in the fourteenth line of said section and inserting in place thereof the word 'fifteen' and also by striking out the word "twenty" in the sixteenth line of said section and inserting in place thereof the word 'fifteen,' so that said section as amended shall read as follows:

**'Sec. 23. Maximum horse power calling for five dollar fee changed from twenty to fifteen.** All motor vehicles shall be registered by the owner or person in control thereof in accordance with the provisions of this section and the following sections. Application for such registration may be made by mail or otherwise to the secretary of state upon blanks prepared under his authority. The application shall, in addition to such other particulars as may be required by said secretary, contain a statement of the name, place of residence and address of the applicant, with a brief description of the motor vehicle, including the name of the maker, the number, if any, affixed by the maker, the character of the motive power and the amount of such power, stated in figures of horse power, and with such application shall be deposited an annual registration fee of five dollars for automobiles (used for conveyance of persons for hire, pleasure or business), of fifteen horse power or under; ten dollars for automobiles (used for conveyance of persons for hire, pleasure or business), between fifteen horse power and including thirty-five horse power; fifteen dollars for automobiles (used for conveyance of persons for hire, pleasure or business), over thirty-five horse power; ten dollars for motor trucks or automobiles (used for commercial purposes); three dollars for motorcycles, (used for pleasure or business); ten dollars for traction engines or log haulers (used for commercial purposes).

The above horse power shall be based on the "A. L. A. M." standard, so called. On any application for registration, applied for by an owner, a resident of this state, of an automobile, not including motorcycle, log hauler, or traction engine, during the period between the first day of October and the thirty-first day of December in any year, one-half of the registration fee shall be charged. The secretary of state upon granting the application shall reg-

**CHAP. 235**

ister in a book or upon suitable index cards to be kept for the purpose, the motor vehicle described in the application, giving to the owner of such motor vehicle a distinguishing number or other mark, and shall thereupon issue to the applicant a certificate of registration which shall contain the name, place of residence and address of the applicant and the registered number or mark, shall prescribe the manner in which said registered number or mark shall be inscribed or displayed on the motor vehicle, and shall be in such form as the secretary may determine. The secretary of state shall also furnish the applicant two enameled iron plates, containing the word "Maine" in letters not less than one inch in height, and the number of the registration in Arabic numerals not less than four inches in height. The number plates must be attached to the front and rear of the automobiles, auto trucks and traction engines. Motor cycles will be provided with a registration seal or other distinguishing mark as may be determined by the secretary of state. The number for motor cycles must be so placed as to be always plainly visible. A proper record of all applications for registration and of all certificates issued shall be kept by the secretary of state in his office and shall be open to the inspection of any person during reasonable hours. The certificate of registration shall always be carried on the person or in some easily accessible place in or about the motor vehicle. Upon the sale of any motor vehicle, registration shall expire and the vendor shall immediately return the certificate of registration to the secretary of state, with notice of sale and the name, place of residence and address of the vendee. Registration plates, seal or other distinguishing mark for automobiles, motor cycles and traction engines shall be furnished free from the office of the secretary of state. The express charge for delivery of registration plates shall be paid by the receiver. Plates lost or mutilated may be replaced for seventy-five cents each.

A motor cycle that has been registered in accordance with this section may be operated by the owner of such motor cycle without a license and the certificate of registration shall be evidence of the right to operate.'

Approved April 7, 1917.

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## Chapter 235.

**An Act to Amend Sections Ten, Seventeen and Eighteen of Chapter Thirty-five of the Revised Statutes, Relating to the Importation of Horses and Cattle and also the Testing of Pure Blooded Cattle to be Sold for Breeding Purposes.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 35, § 10, relating to horses permitted to be shipped into state, amended.** Section ten of chapter thirty-five of the revised statutes is amended by inserting in the sixth line of said section the words 'or the live stock sanitary commissioner may accept a certificate of health showing satisfactory mallein test or physical examination made by an inspector of the bureau of animal industry of the United States or by a veterinarian whose certificate is approved by the state official having authority to approve same under the laws of the state from which the animal is shipped,' so that said section as amended shall read as follows:



**'Sec. 10. Commissioner may accept certificate of United States inspector, or approved veterinarian.** Any person or persons bringing horses into the state must have a permit and shall notify the live stock sanitary commissioner within forty-eight hours after their arrival; the commissioner shall at once cause the same to be examined by a physical examination, or to be tested with mallein or cause the blood test to be used at the expense of the owner, or the live stock sanitary commissioner may accept a certificate of health showing satisfactory mallein test or physical examination made by an inspector of the bureau of animal industry of the United States or by a veterinarian whose certificate is approved by the state official having authority to approve same under the laws of the state from which the animal is shipped. If an animal is found to be glandered no compensation shall be allowed. No permit or examination will be required for horses used in circuses and to perform on the stage. Whoever violates this section shall be punished by a fine as provided in section seventeen.'

**Sec. 2. R. S., c. 35, § 17, relating to physical test of pure blooded cattle, amended.** Section seventeen of chapter thirty-five of the revised statutes is hereby amended by striking out in the ninth line the words "one year" and inserting in place therefor 'six months', so that said section shall read as follows:

**'Sec. 17. Age of calves changed from one year to six months.** All persons selling pure blooded cattle, or cattle represented to be pure blooded, for breeding purposes, shall before delivery, make a report to the live stock sanitary commissioner upon blanks furnished by him upon application, stating the number of cattle sold, the age and sex, and to whom sold; before delivery, such cattle shall be tested with tuberculin under the direction of, and a certificate of health given by the live stock sanitary commissioner, unless such a test has been carried out under his direction within one year; but this provision shall not apply to calves less than six months old. Such certificate of health shall be delivered to the buyer by the seller. Whoever violates any provision of this section shall be punished by a fine of not less than twenty-five, or more than fifty dollars for each offense.'

**Sec. 3. R. S., c. 35, § 18, relating to permit required for cattle entering state, amended.** Section eighteen of chapter thirty-five of the revised statutes is amended by striking out in the seventh line of said section the words "regardless of any other test made," and inserting in the ninth line of said section the words 'or the live stock sanitary commissioner may accept a certificate of health showing satisfactory tuberculin test made by an inspector of the bureau of animal industry of the United States or by a veterinarian whose certificate is approved by the state official having authority to approve same under the laws of the state from which the animal is shipped,' so that said section shall read as follows:

**'Sec. 18. Commissioner may accept certificate of United States inspector, or approved veterinarian.** No neat stock, (calves, cows, steers, oxen or bulls,) or stags of any age, shall be allowed to enter this state, from any other state or country, either for dairying purposes, breeding purposes or for slaughter, except cattle in transit under the control of the federal gov-

**CHAP. 236**

ernment, without a permit duly authorized by the live stock sanitary commissioner, which permit shall accompany the shipment. Such animals shall be tested with tuberculin within thirty days of their arrival, and shall be held in quarantine upon the premises of the owner, until released by the live stock sanitary commissioner, or the live stock sanitary commissioner may accept a certificate of health showing satisfactory tuberculin test made by an inspector of the bureau of animal industry of the United States or by a veterinarian whose certificate is approved by the state official having authority to approve same under the laws of the state from which the animal is shipped. Whoever violates any provisions of this section shall be punished by a fine as provided in section seventeen.'

Approved April 7, 1917.

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## Chapter 236.

An Act to Amend Paragraph Ten of Section Forty-five of Chapter One Hundred Seventeen of the Revised Statutes, Increasing the Clerk Hire in the Oxford County Registry of Probate.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 45, relating to clerk hire in county offices, amended.** Paragraph ten of section forty-five of chapter one hundred seventeen of the revised statutes is hereby amended by striking out the words "two hundred" after the word "probate" in the second line of said paragraph and inserting in place thereof the words 'two hundred and fifty,' so that said paragraph ten of said section forty-five of chapter one hundred and seventeen as amended shall read as follows:

'Clerk hire in office of Oxford county register of probate increased to \$250. Oxford county; for clerks in the office of register of deeds, six hundred dollars; for clerks in the office of register of probate, two hundred and fifty dollars; for clerks in the office of clerk of courts, two hundred dollars.'

Approved April 7, 1917.

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## Chapter 237.

An Act to Amend Section Twenty of Chapter Five of the Revised Statutes Relating to the Registration of Voters.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 5, § 20, relating to proceedings before boards of registration in case of challenge, amended.** Section twenty of chapter five of the revised statutes is hereby amended by striking out the word "they," the first word in the fifth line of section twenty, and inserting in its place the words 'the board or any member thereof;' and by striking out the words "selected by the board" in the seventh line of said section, and inserting in place thereof the

words 'qualified to serve civil process,' so that said section as amended shall read as follows:

**'Sec. 20. Summons may be issued by any member of board; may be served by any qualified officer.** When the right of any person to have his name placed upon such list is challenged by any qualified elector, or when the right of any person to have his name remain upon such list is so challenged, before said board shall add to or strike from said list the name of any such person, the board or any member thereof, shall issue a notice and summons to said person so challenged and allow him a reasonable opportunity to be heard. Such notice and summons shall be served upon such person by an officer qualified to serve civil process, by giving him in hand or by leaving at his last and usual place of abode, an attested copy of said notice and summons, at least six hours before the closing of the final session of the board devoted to the revision and correction of the voting list. Said person and said board may also summon and examine other witnesses before said board concerning his right to vote, and if it appears to said board that such person is not or will not be qualified to vote at such election, they shall cause his name to be erased from said list and not add it thereto. And the list of voters in cities made under this chapter shall state the street, and so far as practicable, the number of the street where each voter resides. The residence of a voter as stated upon the list of voters used at the last preceding election shall be deemed his last and usual place of abode, unless he shall have given notice in writing, over his own signature, or in person to the city clerk of a change of his residence, which notice, if given after the first day of April, shall entitle him to have his residence so corrected on the voting list to be used at the next subsequent election, but shall not entitle him to have his registration otherwise changed, nor to vote in ward or precinct other than that in which he resided on said first day of April. Said clerk shall keep a record of all notices of change of residence, which record shall at all times be open to public inspection.'

Approved April 7, 1917.

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## Chapter 238.

An Act to Amend Section Thirteen of Chapter Seven of the Revised Statutes, Relating to Duties of Election Clerks.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 7, § 13, relating to the appointment of clerks at polling places, amended.** Section thirteen of chapter seven of the revised statutes is hereby amended by striking out the word "witness" in the twenty-fourth and thirty-sixth lines thereof, and substituting therefor the words 'assist in', so that said section as amended shall read as follows:

**'Sec. 13. Clerks shall assist in counting ballots.** The municipal officers of cities, towns and plantations voting in accordance with the provisions of this chapter, shall biennially in the month of May appoint clerks for each polling place; and such municipal officers shall appoint as such clerks such

**CHAP. 288**

persons as shall be recommended for such appointment by the several political party committees of the several cities, towns or plantations, representing the two political parties, which at the gubernatorial election next preceding such appointment, cast the greatest number of votes. For each polling place in cities and towns four clerks, and for each polling place in plantations, and for each island ward of the city of Portland and for the island district of the town of Cumberland two clerks shall be appointed. Said clerks shall equally represent each of the political parties which cast the largest number of votes in the state election next preceding their appointment. Each of said clerks shall be sworn to the faithful performance of his duties, and shall hold office for two years from the date of his appointment, and until a successor is appointed, and qualified, or he vacates the office. Vacancies occurring in the office of election or ballot clerks shall be forthwith filled by the municipal officers in towns and plantations and by the mayors of cities in manner hereinbefore provided. Such election clerks shall attend at the times and places designated for meetings in their respective wards, towns or plantations for the election of any national, state, county, city or ward officers, and for the determination of any question submitted to the qualified voters of any city by lawful authority, shall be present at and assist in the counting by the presiding election officer or officers of all votes cast in such meetings, and shall receive such reasonable compensation for each day's actual service as the municipal officers of their respective cities, towns and plantations may determine. And on the recommendation of the political party committee of any other party represented on the official ballot, said municipal officers shall appoint one such election clerk in each polling place, for such political party, who shall be qualified for the performance of his duties, in like manner as the clerks of the two before mentioned parties, shall hold office for a like term, or for such part thereof as the party for which he is appointed maintains its right to be represented upon the official ballot, and who during said term shall have like rights and duties with the before mentioned clerks to be present at and assist in the counting of votes, and shall serve with or without compensation as the municipal officers in any case may deem advisable, vacancies occurring in case of said clerks to be filled as in case of other clerks herein mentioned. No person shall be eligible to the position of election clerk in any ward, town or plantation where he is a candidate to be voted for. Two of the clerks in each polling place, one from each political party, shall be detailed by the municipal officers to act as ballot clerks. The two ballot clerks thus detailed and appointed in each polling place shall have the charge of the ballots therein and shall furnish them to the voters in the manner hereinafter set forth. A duplicate list of the qualified voters in each ward, town or plantation shall be prepared for the use of the ballot clerks, and all the provisions of law relative to the preparation, furnishing and preservation of check lists shall apply to such duplicate lists. Provisions in the charter of any city for the election of two persons to assist the warden in receiving, sorting and counting the ballots, are not affected by the provisions hereof; but persons so elected shall be deemed election clerks for that purpose; they shall equally represent the two political parties which at the state election next preceding cast the greatest number of votes.'

Approved April 7, 1917.

## Chapter 239.

An Act to Amend Section Forty-five of Chapter One Hundred Seventeen of the Revised Statutes, Providing for Clerk Hire in the Office of the County Attorney of Penobscot County.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 45, relating to clerk hire in county offices, amended.** Paragraph eleven of section forty-five, chapter one hundred seventeen, revised statutes is hereby amended by adding after the word "dollars" in the fourth line of said paragraph the following: 'for clerks in the office of county attorney six hundred dollars,' so that said paragraph as amended shall read as follows:

'\$600 for clerks in office of Penobscot county attorney. Penobscot county; for clerks in the office of register of deeds, one thousand eight hundred dollars; for clerks in the office of register of probate, one thousand two hundred dollars; for clerks in the office of clerk of courts, one thousand two hundred dollars; for clerks in the office of county attorney, six hundred dollars'.

Approved April 7, 1917.

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## Chapter 240.

An Act to Amend Sections Ninety-two, Ninety-three and Ninety-four, of Chapter Two, of the Revised Statutes, Relating to the Estimated Income and Expenditures of the State Departments and Institutions.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 2, § 92, relating to department estimates filed with state auditor, amended.** Section ninety-two, of chapter two, of the revised statutes is hereby amended by striking out the words "first Monday in December," in the first line thereof and inserting in place thereof the words 'fifteenth day of November;' also by striking out the words "or before the fifteenth day of January shall submit to the legislature," in the twelfth and thirteenth lines thereof and inserting in place thereof 'the first day of the session of the legislature shall submit to such legislature and to the governor;' so that said section as amended shall read as follows:

**'Sec. 92. Estimates to be submitted on or before Nov. 15; auditor to report to governor as well as to legislature, on first day of session.** On or before the fifteenth day of November in each year preceding the session of the legislature, the heads of the various departments, state institutions, commissions and boards of trustees, who are intrusted with the expenditure of public moneys, shall file with the auditor a written estimate in detail of the necessary expenditures of the department, institution or commission, of which they are in charge, for each of the two following years, together with the estimated income, if any, for said several years. This estimate shall be divided into; first, fixed charges; second, other charges; third, extraordinary

**CHAP. 240**

or unusual expenses. A written statement showing the reason for all estimated expenditures, other than fixed charges, shall be filed with said estimate. Said auditor shall tabulate these statements under the various heads, and biennially on the first day of the session of the legislature shall submit to such legislature and to the governor a report showing these tabulated statements, including the reasons given for estimated expenditures, other than fixed charges, together with an estimate for each of the two following years of the ordinary revenues of the state, and of such other means as the auditor may be able to point out for defraying the expenses of the state, so that said report shall show the estimated revenues and income of the state, and the estimated expenditures of the state for each of the two following years. The three preceding sections and sections eighty-two, eighty-three and eighty-four, of this chapter shall not apply to the contingent fund of the governor and council.'

**Sec. 2. R. S., c. 2, § 93, relating to estimates to be filed with auditor by institutions receiving state aid, amended.** Section ninety-three, of chapter two, of the revised statutes, is hereby amended by striking out the words "first Monday of December" in the first line thereof and inserting in place thereof the words 'fifteenth day of November;' so that said section as amended shall read as follows:

**'Sec. 93. Date of filing changed to on or before November 15th.** On or before the fifteenth day of November in each year preceding the session of the legislature, every corporation, not including municipal corporations, and every association and institution, whether public or private, receiving an appropriation from the state, shall file with the state auditor a statement in detail of all moneys, with the reason therefor, for which any general or special appropriation is desired at the ensuing session of the legislature, by such corporation, association or institution. The state auditor may, from time to time, require any such corporation, association or institution to report to him as to such fiscal affairs as he may deem necessary for the proper compilation of the tabulation provided in the following section. Each of the reports and statements of desired appropriation which is made shall be in such form as may be prescribed by the state auditor, and shall be public records.'

**Sec. 3. R. S., c. 2, § 94, relating to tabulation of estimates of institutions, amended.** Section ninety-four, of chapter two, of the revised statutes, is hereby amended by striking out the words "on or before the fifteenth day of December in each year;" so that as amended said section shall read as follows:

**'Sec. 94. Auditor's tabulation to be ready to submit on or before first day of legislative session.** The state auditor shall make a tabulation of such statements and reports, accompanied by comparative data and estimates, together with such comments and a statement of such other matters as he may deem necessary and proper for the full understanding of such tabulation and shall transmit such tabulation to the governor and to the legislature on the first day of its session. Such tabulation so transmitted shall also contain a statement of all moneys required by the state auditor, together with the reasons therefor, for which any general or special appropriation is de-

## CHAP. 241

sired by him at the ensuing session of the legislature together with such comparative and other data as he may deem necessary and proper for the full understanding of the purposes last mentioned.'

Approved April 7, 1917.

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## Chapter 241.

**An Act to Amend Section Six, Paragraph Four, of Chapter Fifty of the Revised Statutes, Relating to Compensation for Personal Injuries for Employees.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 50, § 6, par. 4, relating to substitute system as to workmen's compensation act, amended.** Section six, paragraph four, of chapter fifty of the revised statutes is hereby amended by the addition of the following paragraph:

**'Towns or cities may continue injured member of fire department on pay roll, in lieu of compensation.** Any town or city may, in lieu of the compensation and insurance provided by this act, continue any member of the fire department in said town, who may have been injured in the course of his duties, on the pay roll at full pay, if such full pay exceeds the maximum compensation provided for employees under this act.'

Approved April 7, 1917.

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## Chapter 242.

**An Act to Amend Section Forty-five of Chapter One Hundred and Seventeen of the Revised Statutes, increasing the amount to be paid for Clerk Hire in the Office of the Recorder of Municipal Court of the City of Portland.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 45, relating to clerk hire in county offices, amended.** Section forty-five of chapter one hundred and seventeen of the revised statutes is hereby amended by striking out the words "seven hundred eighty" in the fourth paragraph thereof and inserting in place thereof the words 'fourteen hundred and four,' so that said paragraph four of said section shall read as follows:

**'Clerk hire in office of recorder of Portland municipal court increased to \$1,404.** Cumberland County; for clerks in the office of the register of deeds, two thousand seven hundred dollars; for clerks in the office of register of probate, two thousand one hundred dollars; for clerks in the office of clerk of courts, two thousand two hundred dollars; for clerks in the office of the recorder of Portland municipal court, fourteen hundred and four dollars.'

Approved April 7, 1917.

## Chapter 243.

An Act to Amend Section Sixteen of Chapter Eighty-four of the Revised Statutes, Relating to the Tenure of Office of County Attorney.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 84, § 16, relating to elections of county attorneys, amended.** Section sixteen of chapter eighty-four of the revised statutes is hereby amended by adding at the end thereof the following:

'Whenever the governor and council upon complaint and due notice and hearing shall find that a county attorney has violated any statute, or is not performing his duties faithfully and efficiently, they may remove him from office and appoint another attorney in his place for the remainder of the term for which he was elected,' so that said section as amended shall read as follows:

**'Sec. 16. Governor and council given power to remove delinquent attorneys, and to fill vacancy.** County attorneys shall be elected and notified, their elections determined and vacancies filled in the same manner, and they shall enter upon the discharge of their duties at the same time as is provided respecting county commissioners, but they shall hold office for two years. None but a permanent resident of the county shall hold such office, and removal therefrom vacates the office. Whenever the governor and council, upon complaint and due notice and hearing, shall find that a county attorney has violated any statute, or is not performing his duties faithfully and efficiently, they may remove him from office and appoint another attorney in his place for the remainder of the term for which he was elected.'

Approved April 7, 1917.

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## Chapter 244.

An Act to Create the Office of Commissioner of Inland Fisheries and Game and to Abolish the Office of Commissioners of Inland Fisheries and Game.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Office of commissioner of inland fisheries and game created.** The governor, with the advice and consent of the council, shall appoint a commissioner of inland fisheries and game who shall hold office for three years, and until his successor is appointed and qualified. Said commissioner shall be provided with an office in the state capitol, with suitable furniture, stationery and other facilities for the transaction of the business of the department, and he may appoint a clerk. He may employ attorneys at trials in inferior courts for violations of the provisions of the inland fish and game laws, and may appoint necessary additional clerks in his office, and may have at least three daily newspapers published in the state, to be selected by him, for use in his office, all of which shall be paid for out of the regular appropriation for his department. He shall, on or before the thirty-first day of December of each year, make an annual report to the governor.



**Sec. 2. Board of commissioners abolished.** The office of commissioners of inland fisheries and game is hereby abolished.

**Sec. 3. Inconsistent statute repealed.** Section one of chapter thirty-three of the revised statutes is hereby repealed.

**Sec. 4. Substitutions.** Chapter thirty-three of the revised statutes and all acts amendatory thereof or additional thereto, are hereby amended by striking out the words "commissioners of inland fisheries and game" whenever they occur and inserting in place thereof the words 'commissioner of inland fisheries and game' and by striking out the word "they" (when said word refers to commissioners of inland fisheries and game) and inserting in place thereof the word 'he.'

**Sec. 5. Salary of commissioner.** The commissioner of inland fisheries and game shall receive an annual salary of two thousand five hundred dollars.

**Sec. 6. Former rules and regulations applicable.** The rules and regulations of the commissioners of inland fisheries and game, which may be in force when this act takes effect, are hereby adopted as the rules and regulations of the commissioner of inland fisheries and game.

**Sec. 7. R. S., c. 117 § 24, amended to conform.** Section twenty-four of chapter one hundred and seventeen of the revised statutes is hereby amended to conform to the provisions of this act.

Approved April 7, 1917.

## Chapter 245.

An Act to Amend Section Thirty-eight of Chapter Seventy-two of the Revised Statutes Relating to Legal Effect of Adoption of Child.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 72, § 38, relating to legal effect of adoption of child and descent of property, amended.** Section thirty-eight of chapter seventy-two of the revised statutes is hereby amended so as to read as follows:

**'Sec. 38. Adopted child retains right to inherit from natural parents. Distribution of property when adopted person dies intestate.** By such decree the natural parents are divested of all legal rights in respect to such child, and he is freed from all legal obligations of obedience and maintenance in respect to them; and he is, for the custody of the person and right of obedience and maintenance, to all intents and purposes, the child of his adopters, with right of inheritance when not otherwise expressly provided in the decree of adoption, the same as if born to them in lawful wedlock, except that he shall not inherit property expressly limited to the heirs of the body of the adopters, nor property from their lineal or collateral kindred by right of representation; but he shall not by reason of adoption lose his right to inherit from his natural parents or kindred; and the

**CHAP. 246**

adoption of a child, made in any other state, according to the laws of that state, shall have the same force and effect in this state, as to inheritance and all other rights and duties as it had in the state where made, in case the person adopting thereafter dies domiciled in this state. If the person adopted died intestate his property acquired by himself or by devise, bequest, gift or otherwise before or after such adoption, from his adopting parents or from the kindred of said adopting parents shall be distributed according to the provisions of chapter eighty, the same as if born to said adopting parents in lawful wedlock; and property received by devise, bequest, gift or otherwise from his natural parents or kindred shall be distributed according to the provisions of said chapter eighty as if no act of adoption had taken place.'

Approved April 7, 1917.

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## Chapter 246.

**An Act to Amend Section Twenty-nine of Chapter One Hundred Thirty-six of the Revised Statutes, Relating to Copy of Proceedings in Murder Cases.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 136, § 29, relating to copy of proceedings in murder cases, amended.** Section twenty-nine of chapter one hundred thirty-six of the revised statutes is hereby amended by striking out all of said section after the word "county" in the sixth line thereof, and inserting, in place thereof, the words, 'but this section shall not apply to cases where a motion for a new trial is filed and granted, as to the evidence and charge in any trial but the last;'; also by adding the following to said section: 'A copy of the indictment, plea, evidence and charge of the presiding justice, certified by the official stenographer, shall also be filed in the office of the secretary of state, so that it may be used in any pardon hearing before the governor and council, and the expense thereof shall be paid by the state. The state shall pay the expense of having the evidence and charge transcribed by the official stenographer in any murder cases heretofore tried, where a pardon is sought by one serving a life sentence in the state prison, who is unable to pay therefor, if he, or she, claims to be innocent of the crime, the transcript to be filed in the office of the secretary of state, for use as above provided,' so that said section, as amended, shall read as follows:

**'Sec. 29. Copy to be filed in office of secretary of state; provisions retroactive in certain cases.** Whenever any person is convicted of murder, a copy of the indictment, plea, evidence and charge of the presiding justice, certified by the official stenographer, shall be filed with the clerk of the court where such trial is held. If such stenographer is paid an annual salary, the making and filing of said copy shall be without extra compensation, otherwise the expense thereof shall be paid by the county; but this section shall not apply to cases where a motion for a new trial is filed and granted, as to the evidence and charge in any trial but the last. A copy of the indictment, plea, evidence and charge of the presiding justice, certified by the official stenographer, shall also be filed in the office of the

## CHAP. 247

secretary of state, so that it may be used in any pardon hearing before the governor and council, and the expense thereof shall be paid by the state. The state shall pay the expense of having the evidence and charge transcribed by the official stenographer in any murder cases heretofore tried, where a pardon is sought by one serving a life sentence in the state prison, who is unable to pay therefor, if he, or she, claims to be innocent of the crime, the transcript to be filed in the office of the secretary of state, for use as above provided.'

Approved April 7, 1917.

## Chapter 247.

An Act to Amend Section One Hundred Forty-three of Chapter Sixteen of the Revised Statutes Relating to the Admission of Students to State Normal Schools.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 16, § 143, relating to application for admission to normal schools, amended. Section one hundred forty-three of chapter sixteen of the revised statutes is hereby amended by striking out the words "two years" in the fourth line thereof and inserting in place thereof the words 'the first two years of teaching,' and by adding to said section the words 'otherwise they shall pay tuition at the rate of fifty dollars per year,' so that said section when amended shall read as follows:

'Sec. 143. Applicants to teach in state first two years after graduation, or pay \$50 per year for tuition. Applicants for admission shall be sixteen years of age if females, and seventeen if males, and shall signify their intention to become teachers and come under obligation to teach in this state for at least one year, and if they receive a diploma, the first two years of teaching after they have graduated; on these conditions they shall be received without charge for tuition, otherwise they shall pay tuition at the rate of fifty dollars per year.'

Approved April 7, 1917.

## Chapter 248.

An Act to Designate Truant Officers as Attendance Officers.

*Be it enacted by the People of the State of Maine, as follows:*

Words "attendance officer" substituted for term "truant officer" in all statutes. All sections of all chapters of the revised statutes including amendments thereto in which the words "truant officer" occur are hereby amended by inserting in place of said words the words 'attendance officer;' and all sections in which the words "truant officers" occur are hereby amended by inserting in place of said words the words 'attendance officers.'

Approved April 7, 1917.

## Chapter 249.

An Act to Amend Section Eleven of Chapter One Hundred Seventeen of the Revised Statutes, Relating to the Salaries of the Stenographers of the Superior Courts.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 117, § 11, relating to the salaries of stenographers of superior courts, amended. Section eleven of chapter one hundred seventeen of the revised statutes is hereby amended by striking out the entire section and inserting in place thereof the following:

**'Sec. 11. Salaries of stenographers of Cumberland and Kennebec superior courts increased to \$1,800.** The salaries of the stenographers of the superior courts, to be paid quarterly from the treasuries of their counties, in full for all services formerly chargeable to the counties, are as follows: Cumberland, eighteen hundred dollars a year; Kennebec, eighteen hundred dollars a year. They shall also receive from the county in which the court is held, their expenses when in attendance upon court away from their places of residence, but not otherwise; a detailed statement of such expense actually and reasonably incurred shall be approved by the presiding justice.'

Approved April 7, 1917.

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## Chapter 250.

An Act to Amend Section Thirty-six of Chapter One Hundred and Seventeen of the Revised Statutes, relating to Manner of Payment of Salaries.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 117, § 36, relating to the manner of payment of salaries of public officers and members of state government, amended. Amend section thirty-six of chapter one hundred seventeen of the revised statutes by striking out all of the first sentence thereof after the word "equal" in the third line of said first sentence and substituting therefor the words 'weekly payments and shall be in full for all official services,' so that section thirty-six as amended shall read as follows:

**'Sec. 36. Payment to be made weekly.** Unless otherwise specially provided, the foregoing annual salaries shall be paid from the state treasury in equal weekly payments and shall be in full for all official services. The treasurer of state shall make payments according to these provisions upon the certificate of the state auditor.

The attorney general, secretary of state, insurance commissioner, bank commissioner and commissioner of agriculture shall collect the legal and usual fees payable to them by virtue of their offices, and account for and pay over the same to the treasurer of state on the last days of March, June, September and December of each year.'

Approved April 7, 1917.

## Chapter 251.

An Act to Amend Section Sixty of Chapter Four of the Revised Statutes, Relating to the Creation of a Sinking Fund by Cities and Towns.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 4, § 60, relating to the sinking fund of towns, amended.** Section sixty of chapter four of the revised statutes is hereby amended by adding thereto the following:

'But when the indebtedness, for payment of which such sinking fund is created, is refunded or paid by such city or town by a new loan, any stocks, bonds or securities in said sinking fund, other than its own bonds, may be withdrawn therefrom and shall not be regarded as pledged for payment of the new loan unless afterward returned to the sinking fund,' so that said section as amended shall read as follows:

**'Sec. 60. Securities, etc., may be withdrawn, when indebtedness is refunded or paid by new loans.** Any city or town which has a funded indebtedness may create a sinking fund for the payment and redemption of such indebtedness, may raise money by taxation for such purpose, and is restricted to and may hereafter invest such sinking fund in its own bonds, in the public funds of the United States and of any of the New England states and the state of New York, and in the bonds of the counties, cities and towns of this state, and in the bonds and obligations of any municipal or quasi-municipal corporation of this state, when such securities are a direct obligation on all the taxable property of said corporation; provided that this section shall not be construed to require any change of investments heretofore made. But when the indebtedness, for payment of which such sinking fund is created, is refunded or paid by such city or town by a new loan, any stocks, bonds or securities in said sinking fund, other than its own bonds, may be withdrawn therefrom and shall not be regarded as pledged for payment of the new loan unless afterward returned to the sinking fund.'

Approved April 7, 1917.

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## Chapter 252.

An Act to Amend Sections One, Two and Three of Chapter One Hundred Forty-one of the Revised Statutes Better Defining the Duties and Increasing the Number of Medical Examiners.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 141, § 1, relating to medical examiners and their duties, amended.** Section one of chapter one hundred forty-one of the revised statutes is hereby amended so that said section as amended shall read as follows:

**'Sec. 1. Five to be appointed in Cumberland; four in York; governor to appoint as many more in each county as necessary.** The governor, with the

**CHAP. 252**

advice and consent of the council, shall appoint for a term of four years, medical examiners for each county in the state, who shall be able and discreet men, learned in the science of medicine and anatomy, and bona fide residents of the county for which they are appointed. The number of medical examiners so to be appointed shall be as follows: For the counties of Knox, Lincoln, Sagadahoc and Waldo, one each; for the counties of Androscoggin, Franklin, Hancock, Oxford, Piscataquis, Somerset and Washington, two each; for the counties of Aroostook, Kennebec, Penobscot, three each; for the county of York, four, and for the county of Cumberland five; and they shall be appointed with reference to territorial distribution. In addition to the number of medical examiners in the several counties, as above provided for, the governor may, however, with the advice and consent of the council, appoint as many more medical examiners in the several counties as he deems necessary and proper. They shall be liable to removal from office by the governor and council at any time, for cause. Each medical examiner before entering upon the duties of his office, shall be duly sworn to the faithful performance of his duty. They shall make examinations as hereinafter provided upon the view of the dead bodies of such persons only as are supposed to have come to their death by violence or unlawful act of some person or persons, the committing of which act is punishable in accordance with sections one, two and three of chapter twenty of the revised statutes of Maine.'

**Sec. 2. R. S., c. 141, § 2, relating to notifying medical examiner when dead body is found, amended.** Section two of said chapter one hundred forty-one is hereby amended by adding after the word "act" in the third line thereof, the words, 'of some person or persons, the committing of which act is punishable in accordance with sections one, two and three of chapter one hundred twenty of the revised statutes,' so that said section as amended shall read as follows:

'**Sec. 2. Jurisdiction in cases of murder, manslaughter and cases of hunting fatalities.** Whoever finds a body of any person who may be supposed to have come to his death by violence or unlawful act, of some person or persons, the committing of which act is punishable in accordance with sections one, two and three of chapter one hundred twenty of the revised statutes, shall immediately notify one of the municipal officers, a police officer or constable, member of the board of selectmen, or a constable, if in a town, a member of the board of assessors, if in a plantation, and if in an unorganized place, the most readily accessible of such officials in any city, town or plantation within the county; the official so notified shall at once take charge of such body and retain custody thereof without removal until the arrival of a medical examiner, the county attorney or the attorney general. The persons so finding such body, or the official taking charge thereof shall then immediately notify the most readily accessible medical examiner in the county wherein the body is found and the county attorney thereof, who shall at once notify the attorney general.'

**Sec. 3. R. S., c. 141, § 3, relating to proceedings by medical examiner, amended.** Section three of said chapter one hundred forty-one is hereby amended by adding after the word "act" in the third line thereof, the words,

## CHAP. 253

'of some person or persons, the committing of which act is punishable in accordance with sections one, two and three of chapter one hundred twenty of the revised statutes,' so that said section as amended shall read as follows:

**'Sec. 3. Jurisdiction more clearly defined.** Upon notice that there has been found or is lying within his county the body of a person who is supposed to have come to his death by violence or unlawful act, of some person or persons, the committing of which act is punishable in accordance with sections one, two and three of chapter one hundred twenty of the revised statutes, the medical examiner shall forthwith repair to the place where such body lies and take charge of the same and before said body is removed he shall reduce or cause to be reduced to writing a description of the location and position of the body and any and all facts that may be deemed important in determining the cause of death. He shall then make an autopsy in the presence of a physician and one other discreet person sufficient in his judgment to disclose such facts as may be attainable thereby which may be of assistance in determining the cause of death. He may compel the assistance of such physician and person, by subpoena, if necessary, and he shall then and there at the time of such autopsy reduce or cause to be reduced to writing every fact and circumstance disclosed by such autopsy tending to show the manner and cause of death, which record shall be signed by himself and the witnesses who have attended, who shall in addition to their names subscribe their address and place of business. In case at the time of finding of such body there be no medical examiner within the county by reason of vacancy in the office, incapacity or absence from the county, any medical examiner in an adjoining county may be notified whose duty it shall be to attend and perform all duties prescribed by this chapter as though he were a medical examiner within the county.'

Approved April 7, 1917.

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## Chapter 253.

An Act to Insure the Collection of Taxes in Unorganized Townships.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Inventory of personal property in unorganized township to be returned to state assessors.** Each owner or person in charge or control of personal property such as would not be exempt from taxation if it were located in a city or town of this state, and not otherwise subject to taxation under existing laws of the State of Maine, which on the first day of April in each year is situated, whether permanently or temporarily, within an unorganized township, shall, on or before the first day of May in each year, return to the board of state assessors a complete list of such property upon blanks furnished by said board; and such property shall be assessed by said board for a just proportion of all state and county taxes; but none of the property described in this section shall be included in the state valuation as made for unorganized towns.

**CHAP. 254**

**Sec. 2. Proceedings by board when inventory is not made.** Should any owner or person having in his charge or control personal property taxable by said board, as provided in section one, neglect or refuse to comply with the requirements of this act, the board of state assessors may secure the necessary information by such methods as they deem advisable, and the necessary expense incurred in securing such information shall be added to the tax assessed against the property of such owner or person and paid to the state treasurer with the tax.

**Sec. 3. Tax to be paid to state treasurer on or before Oct. 1st, to be turned over to counties; proceedings when tax payer is delinquent.** Taxes levied under the provisions of section one shall be paid to the treasurer of state on or before October first of each year, and the treasurer of state shall at once credit the county treasurer with the amount of county tax so received, and this amount, plus interest after October first, shall be paid by the treasurer of state to the several county treasurers within thirty days from receipt thereof, and the governor and council are hereby authorized to draw their warrants for the same as above provided. A lien is created on all personal property for such taxes and expenses incurred in accordance with the provisions of section two, and such property may be sold for the payment of such taxes and expenses at any time after October first under such conditions as may be determined by the board of state assessors, but any balance remaining after deducting taxes and necessary additions made in accordance with the provisions of this act shall be returned to the owner or person in possession of such property.

**Sec. 4. Tax lists to be certified.** All lists of property returned to the board of state assessors shall be certified before a justice of the peace, or in such manner as may be determined from time to time by the board of state assessors.

**Sec. 5. Date when effective.** This act shall take effect January first, nineteen hundred eighteen.

Approved April 7, 1917.

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## Chapter 254.

An Act to Regulate the Operation of Motor Vehicles for the Carriage of Passengers and Freight.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Jitney busses; permits to be granted by state highway commission.** The state highway commission may, upon proper application in writing, grant permits for the operation of jitney busses, so-called, or any other steam or motor driven vehicles making regular schedule trips for the carriage of passengers or freight from one point to another, over any street, highway, or bridge, and may make regulations limiting the rate of speed of such vehicles, their weight, the load they may carry, and the time of year during which they may operate, and any other regulations which in the opinion



of said commission are necessary for the protection of said streets or highways, and no such jitney bus, or other steam or motor driven vehicles shall be so operated on any highway or town way without such permit.

**Sec. 2. Penalties and fines.** Whoever violates any of the provisions of this act shall be liable to the penalty provided by section fourteen of chapter twenty-six of the revised statutes, except that in the case of damage to any street, highway or bridge which is under the jurisdiction of the state highway commission, any fine shall be paid into the state treasury and shall be used for the repair of the street, highway or bridge so damaged.

Approved April 7, 1917.

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## Chapter 255.

An Act to Amend Section Thirty-six of Chapter Forty-five of the Revised Statutes, Relating to the Purchase, Marking and Liberating of Seed Lobsters.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 45, § 36, relating to purchase of lobsters with eggs attached, by commissioner.** Section thirty-six of chapter forty-five of the revised statutes is hereby amended by striking out all of said section, and inserting in place thereof the following:

**'Sec. 36. Commissioner not to pay over 15 per cent above market price; lobsters to be marked and liberated in vicinity where caught; property of state.** The commissioner of sea and shore fisheries may purchase at the rate of fifteen per cent above market price, lobsters with eggs attached, caught in the waters of this state. Whoever catches any lobsters with eggs attached may safely store the same in lobster cars, or traps used for that purpose only, and may keep them separate from other lobsters until such time as the commissioner or some person or persons designated by him can gather and pay for them. The commissioner or his agent shall liberate any lobsters so purchased in the vicinity where they were caught, after having marked such lobsters by punching a hole in the middle flipper. Such lobsters shall be deemed the property of the state, and, if again caught immediately be returned to the waters by the person catching them. The possession of any such marked lobster or mutilated lobster shall be deemed prima facie evidence of violation of this chapter. Any person violating the provisions of this section shall be fined fifty dollars.'

**Sec. 2. Inconsistent statutes repealed.** All acts or parts of acts inconsistent herewith are hereby repealed.

Approved April 7, 1917.

## Chapter 256.

An Act Relating to the Operation of Motor Vehicles.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Motor vehicles; muffler cut-out not to be opened in settled parts.** No person operating a motor vehicle in the settled parts of a city or town shall at any time open the muffler cut-out nor permit such motor vehicle to make any unnecessary noise.

**Sec. 2. Penalty for violation.** Any person violating the above section shall for each offense be punished by a fine of not more than twenty dollars.

Approved April 7, 1917.

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## Chapter 257.

An Act to Make Uniform the Law of Negotiable Instruments.

*Be it enacted by the People of the State of Maine, as follows:*

### Negotiable Instruments In General. Form and Interpretation.

**Sec. 1. Form of negotiable instrument.** An instrument to be negotiable must conform to the following requirements:

- (1.) It must be in writing and signed by the maker or drawer;
- (2.) Must contain an unconditional promise or order to pay a sum certain in money;
- (3.) Must be payable on demand, or at a fixed or determinable future time;
- (4.) Must be payable to order or to bearer; and
- (5.) Where the instrument is addressed to a drawee, he must be named or otherwise indicated therein with reasonable certainty.

**Sec. 2. Certainty as to sum; what constitutes.** The sum payable is a sum certain within the meaning of this act, although it is to be paid:

- (1.) With interest; or
- (2.) By stated installments; or
- (3.) By stated installments, with a provision that upon default in payment of any installment or of interest, the whole shall become due; or
- (4.) With exchange, whether at a fixed rate or at the current rate; or
- (5.) With costs of collection or an attorney's fee, in case payment shall not be made at maturity.

**Sec. 3. When promise is unconditional.** An unqualified order or promise to pay is unconditional within the meaning of this act, though coupled with:

- (1.) An indication of a particular fund out of which reimbursement is to be made, or a particular account to be debited with the amount; or
- (2.) A statement of the transaction which gives rise to the instrument. But an order or promise to pay out of a particular fund is not unconditional.

**Sec. 4. Determinable future time; what constitutes.** An instrument is payable at a determinable future time, within the meaning of this act, which is expressed to be payable:

- (1.) At a fixed period after date or sight; or
  - (2.) On or before a fixed or determinable future time specified therein;
- or

(3.) On or at a fixed period after the occurrence of a specified event, which is certain to happen, though the time of happening be uncertain.

An instrument payable upon a contingency is not negotiable, and the happening of the event does not cure the defect.

**Sec. 5. Additional provisions not affecting negotiability.** An instrument which contains an order or promise to do any act in addition to the payment of money is not negotiable. But the negotiable character of an instrument otherwise negotiable is not affected by a provision which:

- (1.) Authorizes the sale of collateral securities in case the instrument be not paid at maturity; or
- (2.) Authorizes a confession of judgment if the instrument be not paid at maturity; or
- (3.) Waives the benefit of any law intended for the advantage or protection of the obligor; or
- (4.) Gives the holder an election to require something to be done in lieu of payment of money.

But nothing in this section shall validate any provision or stipulation otherwise illegal.

**Sec. 6. Omissions; seal; particular money.** The validity and negotiable character of an instrument are not affected by the fact that:

- (1.) It is not dated; or
- (2.) Does not specify the value given, or that any value has been given therefor; or
- (3.) Does not specify the place where it is drawn or the place where it is payable; or
- (4.) Bears a seal; or
- (5.) Designates a particular kind of current money in which payment is to be made.

But nothing in this section shall alter or repeal any statute requiring in certain cases the nature of the consideration to be stated in the instrument.

**Sec. 7. When payable on demand.** An instrument is payable on demand:

- (1.) Where it is expressed to be payable on demand, or at sight, or on presentation; or
- (2.) In which no time for payment is expressed.

Where an instrument is issued, accepted, or indorsed when overdue, it is, as regards the person so issuing, accepting, or indorsing it, payable on demand.

**Sec. 8. When payable to order.** The instrument is payable to order where it is drawn payable to the order of a specified person or to him or his order. It may be drawn payable to the order of:

**CHAP. 257**

- (1.) A payee who is not maker, drawer, or drawee; or
- (2.) The drawer or maker; or
- (3.) The drawee; or
- (4.) Two or more payees jointly; or
- (5.) One or some of several payees; or
- (6.) The holder of an office for the time being.

Where the instrument is payable to order the payee must be named or otherwise indicated therein with reasonable certainty.

**Sec. 9. When payable to bearer.** The instrument is payable to bearer:

- (1.) When it is expressed to be so payable; or
- (2.) When it is payable to a person named therein or bearer; or
- (3.) When it is payable to the order of a fictitious or non-existing person, and such fact was known to the person making it so payable; or
- (4.) When the name of the payee does not purport to be the name of any person; or
- (5.) When the only or last indorsement is an indorsement in blank.

**Sec. 10. Terms when sufficient.** The instrument need not follow the language of this act, but any terms are sufficient which clearly indicate an intention to conform to the requirements hereof.

**Sec. 11. Date, presumption as to.** Where the instrument or an acceptance or any indorsement thereon is dated, such date is deemed prima facie to be the true date of the making, drawing, acceptance, or indorsement as the case may be.

**Sec. 12. Ante-dated and post-dated.** The instrument is not invalid for the reason only that it is ante-dated or post-dated, provided this is not done for an illegal or fraudulent purpose. The person to whom an instrument so dated is delivered acquires the title thereto as of the date of delivery.

**Sec. 13. When date may be inserted.** Where an instrument expressed to be payable at a fixed period after date is issued undated, or where the acceptance of an instrument payable at a fixed period after sight is undated, any holder may insert therein the true date of issue or acceptance, and the instrument shall be payable accordingly. The insertion of a wrong date does not avoid the instrument in the hands of a subsequent holder in due course; but as to him, the date so inserted is to be regarded as the true date.

**Sec. 14. Blanks; when may be filled.** Where the instrument is wanting in any material particular, the person in possession thereof has a prima facie authority to complete it by filling up the blanks therein. And a signature on a blank paper delivered by the person making the signature in order that the paper may be converted into a negotiable instrument operates as a prima facie authority to fill it up as such for any amount. In order, however, that any such instrument when completed may be enforced against any person who became a party thereto prior to its completion, it must be filled up strictly in accordance with the authority given and within a reasonable time. But if any such instrument, after completion, is negotiated to a holder in due course, it is valid and effectual for

all purposes in his hands, and he may enforce it as if it had been filled up strictly in accordance with the authority given and within a reasonable time.

**Sec. 15. Incomplete instruments not delivered.** Where an incomplete instrument has not been delivered it will not, if completed and negotiated, without authority, be a valid contract in the hands of any holder, as against any person whose signature was placed thereon before delivery.

**Sec. 16. Delivery; when effectual; when presumed.** Every contract on a negotiable instrument is incomplete and revocable until delivery of the instrument for the purpose of giving effect thereto. As between immediate parties, and as regards a remote party other than a holder in due course, the delivery, in order to be effectual, must be made either by or under the authority of the party making, drawing, accepting or indorsing, as the case may be; and in such case the delivery may be shown to have been conditional, or for a special purpose only, and not for the purpose of transferring the property in the instrument. But where the instrument is in the hands of a holder in due course, a valid delivery thereof by all parties prior to him so as to make them liable to him is conclusively presumed. And where the instrument is no longer in the possession of a party whose signature appears thereon, a valid and intentional delivery by him is presumed until the contrary is proved.

**Sec. 17. Construction where instrument is ambiguous.** Where the language of the instrument is ambiguous or there are omissions therein, the following rules of construction apply:

(1.) Where the sum payable is expressed in words and also in figures and there is a discrepancy between the two, the sum denoted by the words is the sum payable; but if the words are ambiguous or uncertain, reference may be had to the figures to fix the amount;

(2.) Where the instrument provides for the payment of interest, without specifying the date from which interest is to run, the interest runs from the date of the instrument, and if the instrument is undated, from the issue thereof;

(3.) Where the instrument is not dated, it will be considered to be dated as of the time it was issued;

(4.) Where there is a conflict between the written and printed provisions of the instrument, the written provisions prevail;

(5.) Where the instrument is so ambiguous that there is doubt whether it is a bill or note, the holder may treat it as either at his election;

(6.) Where a signature is so placed upon the instrument that it is not clear in what capacity the person making the same intended to sign, he is to be deemed an indorser;

(7.) Where an instrument containing the words "I promise to pay" is signed by two or more persons, they are deemed to be jointly and severally liable thereon.

**Sec. 18. Liability of person signing in trade or assumed name.** No person is liable on the instrument whose signature does not appear thereon, except as herein otherwise expressly provided. But one who signs in a

**CHAP. 257**

trade or assumed name will be liable to the same extent as if he had signed in his own name.

**Sec. 19. Signature by agent; authority; how shown.** The signature of any party may be made by a duly authorized agent. No particular form of appointment is necessary for this purpose; and the authority of the agent may be established as in other cases of agency.

**Sec. 20. Liability of person signing as agent, etc.** Where the instrument contains or a person adds to his signature words indicating that he signs for or on behalf of a principal, or in a representative capacity, he is not liable on the instrument if he was duly authorized; but the mere addition of words describing him as an agent, or as filling a representative character, without disclosing his principal, does not exempt him from personal liability.

**Sec. 21. Signature by procuration; effect of.** A signature by "procuration" operates as notice that the agent has but a limited authority to sign, and the principal is bound only in case the agent in so signing acted within the actual limits of his authority.

**Sec. 22. Effect of indorsement by infant or corporation.** The indorsement or assignment of the instrument by a corporation or by an infant passes the property therein, notwithstanding that from want of capacity the corporation or infant may incur no liability thereon.

**Sec. 23. Forged signature; effect of.** When a signature is forged or made without the authority of the person whose signature it purports to be, it is wholly inoperative, and no right to retain the instrument, or to give a discharge therefor, or to enforce payment thereof against any party thereto, can be acquired through or under such signature, unless the party against, whom it is sought to enforce such right, is precluded from setting up the forgery or want of authority.

### **Consideration.**

**Sec. 24. Presumption of consideration.** Every negotiable instrument is deemed prima facie to have been issued for a valuable consideration; and every person whose signature appears thereon to have become a party thereto for value.

**Sec. 25. Consideration. What constitutes.** Value is any consideration sufficient to support a simple contract. An antecedent or pre-existing debt constitutes value; and is deemed such whether the instrument is payable on demand or at a future time.

**Sec. 26. What constitutes holder for value.** Where value has at any time been given for the instrument, the holder is deemed a holder for value in respect to all parties who became such prior to that time.

**Sec. 27. When lien on instrument constitutes holder for value.** Where the holder has a lien on the instrument, arising either from contract or by implication of law, he is deemed a holder for value to the extent of his lien.

**Sec. 28. Effect of want of consideration.** Absence or failure of consideration is matter of defence as against any person not a holder in due course; and partial failure of consideration is a defence pro tanto, whether the failure is an ascertained and liquidated amount or otherwise.

**Sec. 29. Liability of accommodation party.** An accommodation party is one who has signed the instrument as maker, drawer, acceptor, or indorser, without receiving value therefor, and for the purpose of lending his name to some other person. Such a person is liable on the instrument to a holder for value, notwithstanding such holder at the time of taking the instrument knew him to be only an accommodation party.

### Negotiation.

**Sec. 30. What constitutes negotiation.** An instrument is negotiated when it is transferred from one person to another in such manner as to constitute the transferee the holder thereof. If payable to bearer it is negotiated by delivery; if payable to order it is negotiated by the indorsement of the holder completed by delivery.

**Sec. 31. Indorsement; how made.** The indorsement must be written on the instrument itself or upon a paper attached thereto. The signature of the indorser, without additional words, is a sufficient indorsement.

**Sec. 32. Indorsement must be of entire instrument.** The indorsement must be an indorsement of the entire instrument. An indorsement which purports to transfer to the indorsee a part only of the amount payable, or which purports to transfer the instrument to two or more indorsees severally, does not operate as a negotiation of the instrument. But where the instrument has been paid in part, it may be indorsed as to the residue.

**Sec. 33. Kinds of indorsement.** An indorsement may be either special or in blank; and it may also be either restrictive or qualified, or conditional.

**Sec. 34. Special indorsement; indorsement in blank.** A special indorsement specifies the person to whom, or to whose order, the instrument is to be payable; and the indorsement of such indorsee is necessary to the further negotiation of the instrument. An indorsement in blank specifies no indorsee, and an instrument so indorsed is payable to bearer, and may be negotiated by delivery.

**Sec. 35. Blank indorsement; how changed to special indorsement.** The holder may convert a blank indorsement into a special indorsement by writing over the signature of the indorser in blank any contract consistent with the character of the indorsement.

**Sec. 36. When indorsement restrictive.** An indorsement is restrictive, which either:

- (1.) Prohibits the further negotiation of the instrument; or
- (2.) Constitutes the indorsee the agent of the indorser; or
- (3.) Vests the title in the indorsee in trust for or to the use of some other person.

**CHAP. 257**

But the mere absence of words implying power to negotiate does not make an indorsement restrictive.

**Sec. 37. Effect of restricting indorsement; rights of indorsee.** A restrictive indorsement confers upon the indorsee the right:

- (1.) To receive payment of the instrument;
- (2.) To bring any action thereon that the indorser could bring;
- (3.) To transfer his rights as such indorsee, where the form of the indorsement authorizes him to do so.

But all subsequent indorsees acquire only the title of the first indorsee under the restrictive indorsement.

**Sec. 38. Qualified indorsement.** A qualified indorsement constitutes the indorser a mere assignor of the title to the instrument. It may be made by adding to the indorser's signature the words "without recourse" or any words of similar import. Such an indorsement does not impair the negotiable character of the instrument.

**Sec. 39. Conditional indorsement.** Where an indorsement is conditional, a party required to pay the instrument may disregard the condition, and make payment to the indorsee or his transferee, whether the condition has been fulfilled or not. But any person to whom an instrument so indorsed is negotiated, will hold the same, or the proceeds thereof, subject to the rights of the person indorsing conditionally.

**Sec. 40. Indorsement of instrument payable to bearer.** Where an instrument, payable to bearer, is indorsed specially, it may nevertheless be further negotiated by delivery; but the person indorsing specially is liable as indorser to only such holders as make title through his indorsement.

**Sec. 41. Indorsement where payable to two or more persons.** Where an instrument is payable to the order of two or more payees or indorsees who are not partners, all must indorse, unless the one indorsing has authority to indorse for the others.

**Sec. 42. Effect of instrument drawn or indorsed to a person as cashier.** Where an instrument is drawn or indorsed to a person as "Cashier" or other fiscal officer of a bank or corporation, it is deemed *prima facie* to be payable to the bank or corporation of which he is such officer; and may be negotiated by either the indorsement of the bank or corporation, or the indorsement of the officer.

**Sec. 43. Indorsement where name is misspelled, et cetera.** Where the name of a payee or indorser is wrongly designated or misspelled, he may indorse the instrument as therein described, adding, if he think fit, his proper signature.

**Sec. 44. Indorsement in representative capacity.** Where any person is under obligation to indorse in a representative capacity, he may indorse in such terms as to negative personal liability.

**Sec. 45. Time of indorsement; presumption.** Except where an indorsement bears date after the maturity of the instrument, every negotia-



tion is deemed prima facie to have been effected before the instrument was overdue.

**Sec. 46. Place of indorsement; presumption.** Except where the contrary appears, every indorsement is presumed prima facie to have been made at the place where the instrument is dated.

**Sec. 47. Continuation of negotiable character.** An instrument negotiable in its origin continues to be negotiable until it has been restrictively indorsed or discharged by payment or otherwise.

**Sec. 48. Striking out indorsement.** The holder may at any time strike out any indorsement which is not necessary to his title. The indorser whose indorsement is struck out, and all indorsers subsequent to him, are thereby relieved from liability on the instrument.

**Sec. 49. Transfer without indorsement; effect of.** Where the holder of an instrument payable to his order transfers it for value without indorsing it, the transfer vests in the transferee such title as the transferor had therein, and the transferee acquires, in addition, the right to have the indorsement of the transferor. But for the purpose of determining whether the transferee is a holder in due course, the negotiation takes effect as of the time when the indorsement is actually made.

**Sec. 50. When prior party may negotiate instrument.** Where an instrument is negotiated back to a prior party, such party may, subject to the provisions of this act, reissue and further negotiate the same. But he is not entitled to enforce payment thereof against any intervening party to whom he was personally liable.

#### **Rights of the Holder.**

**Sec. 51. Right of holder to sue; payment.** The holder of a negotiable instrument may sue thereon in his own name and payment to him in due course discharges the instrument.

**Sec. 52. What constitutes a holder in due course.** A holder in due course is a holder who has taken the instrument under the following conditions:

- (1.) That it is complete and regular upon its face;
- (2.) That he became the holder of it before it was overdue, and without notice that it had been previously dishonored, if such was the fact;
- (3.) That he took it in good faith and for value;
- (4.) That at the time it was negotiated to him he had no notice of any infirmity in the instrument or defect in the title of the person negotiating it.

**Sec. 53. When person not deemed holder in due course.** Where an instrument payable on demand is negotiated an unreasonable length of time after its issue, the holder is not deemed a holder in due course.

**Sec. 54. Notice before full amount paid.** Where the transferee receives notice of any infirmity in the instrument or defect in the title of

**CHAP. 257**

the person negotiating the same before he has paid the full amount agreed to be paid therefor, he will be deemed a holder in due course only to the extent of the amount theretofore paid by him.

**Sec. 55. When title defective.** The title of a person who negotiates an instrument is defective within the meaning of this act when he obtained the instrument, or any signature thereto, by fraud, duress, or force and fear, or other unlawful means, or for an illegal consideration, or when he negotiates it in breach of faith, or under such circumstances as amount to a fraud.

**Sec. 56. What constitutes notice of defect.** To constitute notice of an infirmity in the instrument or defect in the title of the person negotiating the same, the person to whom it is negotiated must have had actual knowledge of the infirmity or defect, or knowledge of such facts that his action in taking the instrument amounted to bad faith.

**Sec. 57. Rights of holder in due course.** A holder in due course holds the instrument free from any defect of title of prior parties, and free from defenses available to prior parties among themselves, and may enforce payment of the instrument for the full amount thereof against all parties liable thereon.

**Sec. 58. When subject to original defenses.** In the hands of any holder other than a holder in due course, a negotiable instrument is subject to the same defenses as if it were non-negotiable. But a holder who derives his title through a holder in due course, and who is not himself a party to any fraud or illegality affecting the instrument, has all the rights of such former holder in respect of all parties prior to the latter.

**Sec. 59. Who deemed holder in due course.** Every holder is deemed prima facie to be a holder in due course; but when it is shown that the title of any person who has negotiated the instrument was defective, the burden is on the holder to prove that he or some person under whom he claims acquired the title as holder in due course. But the last mentioned rule does not apply in favor of a party who became bound on the instrument prior to the acquisition of such defective title.

**Liabilities of Parties.**

**Sec. 60. Liability of maker.** The maker of a negotiable instrument by making it engages that he will pay it according to its tenor, and admits the existence of the payee and his then capacity to indorse.

**Sec. 61. Liability of drawer.** The drawer by drawing the instrument admits the existence of the payee and his then capacity to indorse; and engages that on due presentment the instrument will be accepted or paid, or both, according to its tenor, and that if it be dishonored, and the necessary proceedings on dishonor be duly taken, he will pay the amount thereof to the holder, or to any subsequent indorser who may be compelled to pay it. But the drawer may insert in the instrument an express stipulation negating or limiting his own liability to the holder.

**Sec. 62. Liability of acceptor.** The acceptor by accepting the instrument engages that he will pay it according to the tenor of his acceptance; and admits:

- (1.) The existence of the drawer, the genuineness of his signature, and his capacity and authority to draw the instrument; and
- (2.) The existence of the payee and his then capacity to indorse.

**Sec. 63. When person deemed indorser.** A person placing his signature upon an instrument otherwise than as maker, drawer or acceptor, is deemed to be an indorser, unless he clearly indicates by appropriate words his intention to be bound in some other capacity.

**Sec. 64. Liability of irregular indorser.** Where a person, not otherwise a party to an instrument, places thereon his signature in blank before delivery he is liable as indorser, in accordance with the following rules:

- (1.) If the instrument is payable to the order of a third person, he is liable to the payee and to all subsequent parties.
- (2.) If the instrument is payable to the order of the maker or drawer, or is payable to bearer, he is liable to all parties subsequent to the maker or drawer.
- (3.) If he signs for the accommodation of the payee, he is liable to all parties subsequent to the payee.

**Sec. 65. Warranty where negotiation by delivery, et cetera.** Every person negotiating an instrument by delivery or by a qualified indorsement, warrants:

- (1.) That the instrument is genuine and in all respects what it purports to be;
- (2.) That he has a good title to it;
- (3.) That all prior parties had capacity to contract;
- (4.) That he has no knowledge of any fact which would impair the validity of the instrument or render it valueless.

But when the negotiation is by delivery only, the warranty extends in favor of no holder other than the immediate transferee.

The provisions of subdivision three of this section do not apply to persons negotiating public or corporation securities, other than bills and notes.

**Sec. 66. Liability of general indorser.** Every indorser who indorses without qualification, warrants to all subsequent holders in due course:

- (1.) The matters and things mentioned in subdivision one, two and three of the next preceding section; and
- (2.) That the instrument is at the time of his indorsement valid and subsisting.

And, in addition, he engages that on due presentment, it shall be accepted or paid, or both, as the case may be, according to its tenor, and that if it be dishonored, and the necessary proceedings on dishonor be duly taken, he will pay the amount thereof to the holder, or to any subsequent indorser who may be compelled to pay it.

## CHAP. 257

**Sec. 67. Liability of indorser where paper negotiable by delivery.** Where a person places his indorsement on an instrument negotiable by delivery he incurs all the liabilities of an indorser.

**Sec. 68. Order in which indorsers are liable.** As respects one another indorsers are liable prima facie in the order in which they indorse; but evidence is admissible to show that as between or among themselves they have agreed otherwise. Joint payees or joint indorsees who indorse are deemed to indorse jointly and severally.

**Sec. 69. Liability of an agent or broker.** Where a broker or other agent negotiates an instrument without indorsement he incurs all the liabilities prescribed by section sixty-five of this act, unless he discloses the name of his principal, and the fact that he is acting only as agent.

**Presentment For Payment.**

**Sec. 70. Effect of want of demand on principal debtor.** Presentment for payment is not necessary in order to charge the person primarily liable on the instrument; but if the instrument is, by its terms, payable at a special place, and he is able and willing to pay it there at maturity, such ability and willingness are equivalent to a tender of payment upon his part. But except as herein otherwise provided, presentment for payment is necessary in order to charge the drawer and indorsers.

**Sec. 71. Presentment where instrument is not payable on demand and where payable on demand.** Where the instrument is not payable on demand, presentment must be made on the day it falls due. Where it is payable on demand, presentment must be made within a reasonable time after its issue, except that in the case of a bill of exchange, presentment for payment will be sufficient if made within a reasonable time after the last negotiation thereof.

**Sec. 72. What constitutes a sufficient presentment.** Presentment for payment, to be sufficient, must be made:

- (1.) By the holder, or by some person authorized to receive payment on his behalf;
- (2.) At a reasonable hour on a business day;
- (3.) At a proper place as herein defined;
- (4.) To the person primarily liable on the instrument or if he is absent or inaccessible, to any person found at the place where the presentment is made.

**Sec. 73. Place of presentment.** Presentment for payment is made at the proper place:

- (1.) Where a place of payment is specified in the instrument and it is there presented;
- (2.) Where no place of payment is specified, but the address of the person to make payment is given in the instrument and it is there presented;
- (3.) Where no place of payment is specified and no address is given and the instrument is presented at the usual place of business or residence of the person to make payment;

(4.) In any other case if presented to the person to make payment wherever he can be found, or if presented at his last known place of business or residence.

**Sec. 74. Instrument must be exhibited.** The instrument must be exhibited to the person from whom payment is demanded, and when it is paid must be delivered up to the party paying it.

**Sec. 75. Presentment where instrument payable at bank.** Where the instrument is payable at a bank, presentment for payment must be made during banking hours, unless the person to make payment has no funds there to meet it at any time during the day, in which case presentment at any hour before the bank is closed on that day is sufficient.

**Sec. 76. Presentment where principal debtor is dead.** Where a person primarily liable on the instrument is dead, and no place of payment is specified, presentment for payment must be made to his personal representative if such there be, and if, with the exercise of reasonable diligence, he can be found.

**Sec. 77. Presentment to persons liable as partners.** Where the persons primarily liable on the instrument are liable as partners, and no place of payment is specified, presentment for payment may be made to any one of them, even though there has been a dissolution of the firm.

**Sec. 78. Presentment to joint debtors.** Where there are several persons, not partners, primarily liable on the instrument, and no place of payment is specified, presentment must be made to them all.

**Sec. 79. When presentment not required to charge the drawer.** Presentment for payment is not required in order to charge the drawer where he has no right to expect or require that the drawee or acceptor will pay the instrument.

**Sec. 80. When presentment not required to charge the indorser.** Presentment for payment is not required in order to charge an indorser where the instrument was made or accepted for his accommodation and he has no reason to expect that the instrument will be paid if presented.

**Sec. 81. When delay in making presentment is excused.** Delay in making presentment for payment is excused when the delay is caused by circumstances beyond the control of the holder, and not imputable to his default, misconduct or negligence. When the cause of delay ceases to operate, presentment must be made with reasonable diligence.

**Sec. 82. When presentment may be dispensed with.** Presentment for payment is dispensed with:

- (1.) Where after the exercise of reasonable diligence presentment as required by this act cannot be made;
- (2.) Where the drawee is a fictitious person;
- (3.) By waiver of presentment, express or implied.

**Sec. 83. When instrument dishonored by non-payment.** The instrument is dishonored by non-payment when,

**CHAP. 257**

(1.) It is duly presented for payment and payment is refused or cannot be obtained; or

(2.) Presentment is excused and the instrument is overdue and unpaid.

**Sec. 84. Liability of persons secondarily liable, when instrument dishonored.** Subject to the provisions of this act, when the instrument is dishonored by non-payment, an immediate right of recourse to all parties secondarily liable thereon accrues to the holder.

**Sec. 85. Time of maturity.** Every negotiable instrument is payable at the time fixed therein without grace. When the day of maturity falls upon Sunday, or a holiday, the instrument is payable on the next succeeding business day. Instruments falling due, or becoming payable, on Saturday are to be presented for payment on the next succeeding business day, except that instruments payable on demand may, at the option of the holder, be presented for payment before twelve o'clock noon on Saturday when that entire day is not a holiday.

**Sec. 86. Time; how computed.** Where the instrument is payable at a fixed period after date, after sight, or after the happening of a specified event, the time of payment is determined by excluding the day from which the time is to begin to run, and by including the date of payment.

**Sec. 87. Rule where instrument payable at bank.** Where the instrument is made payable at a bank it is equivalent to an order to the bank to pay the same for the account of the principal debtor thereon.

**Sec. 88. What constituted payment in due course.** Payment is made in due course when it is made at or after the maturity of the instrument to the holder thereof in good faith and without notice that his title is defective.

### **Notice of Dishonor.**

**Sec. 89. To whom notice of dishonor must be given.** Except as herein otherwise provided, when a negotiable instrument has been dishonored by non-acceptance or non-payment, notice of dishonor must be given to the drawer and to each indorser, and any drawer or indorser to whom such notice is not given is discharged.

**Sec. 90. By whom given.** The notice may be given by or on behalf of the holder, or by or on behalf of any party to the instrument who might be compelled to pay it to the holder, and who upon taking it up would have a right to reimbursement from the party to whom the notice is given.

**Sec. 91. Notice given by agent.** Notice of dishonor may be given by an agent either in his own name or in the name of any party entitled to give notice, whether that party be his principal or not.

**Sec. 92. Effect of notice given on behalf of holder.** Where notice is given by or on behalf of the holder, it inures for the benefit of all subsequent holders and all prior parties who have a right of recourse against the party to whom it is given.

**Sec. 93. Effect where notice is given by party entitled thereto.** Where notice is given by or on behalf of a party entitled to give notice, it inures for the benefit of the holder and all parties subsequent to the party to whom notice is given.

**Sec. 94. When agent may give notice.** Where the instrument has been dishonored in the hands of an agent, he may either himself give notice to the parties liable thereon, or he may give notice to his principal. If he give notice to his principal, he must do so within the same time as if he were the holder, and the principal upon the receipt of such notice has himself the same time for giving notice as if the agent had been an independent holder.

**Sec. 95. When notice sufficient.** A written notice need not be signed, and an insufficient written notice may be supplemented and validated by verbal communication. A misdescription of the instrument does not vitiate the notice unless the party to whom the notice is given is in fact misled thereby.

**Sec. 96. Form of notice.** The notice may be in writing or merely oral and may be given in any terms which sufficiently identify the instrument, and indicate that it has been dishonored by non-acceptance or non-payment. It may in all cases be given by delivering it personally or through the mails.

**Sec. 97. To whom notice may be given.** Notice of dishonor may be given either to the party himself or to his agent in that behalf.

**Sec. 98. Notice where party is dead.** When any party is dead, and his death is known to the party giving notice, the notice must be given to a personal representative, if there be one, and if with reasonable diligence he can be found. If there be no personal representative, notice may be sent to the last residence or last place of business of the deceased.

**Sec. 99. Notice to partners.** Where the parties to be notified are partners, notice to any one partner is notice to the firm even though there has been a dissolution.

**Sec. 100. Notice to persons jointly liable.** Notice to joint parties who are not partners must be given to each of them, unless one of them has authority to receive such notice for the others.

**Sec. 101. Notice to bankrupt.** Where a party has been adjudged a bankrupt or an insolvent, or has made an assignment for the benefit of creditors, notice may be given either to the party himself or to his trustee or assignee.

**Sec. 102. Time within which notice must be given.** Notice may be given as soon as the instrument is dishonored, and unless delay is excused as hereinafter provided, must be given within the times fixed by this act.

**Sec. 103. Where parties reside in same place.** Where the person giving and the person to receive notice reside in the same place, notice must be given within the following times:

**CHAP. 257**

(1.) If given at the place of business of the person to receive notice, it must be given before the close of business hours on the day following;

(2.) If given at his residence, it must be given before the usual hours of rest on the day following;

(3.) If sent by mail, it must be deposited in the post-office in time to reach him in usual course on the day following.

**Sec. 104. Where parties reside in different places.** Where the person giving and the person to receive notice reside in different places, the notice must be given within the following times:

(1.) If sent by mail, it must be deposited in the post-office in time to go by mail the day following the day of dishonor, or if there be no mail at a convenient hour on that day, by the next mail thereafter;

(2.) If given otherwise than through the post-office, then within the time that notice would have been received in due course of mail, if it had been deposited in the post-office within the time specified in the last subdivision.

**Sec. 105. When sender deemed to have given due notice.** Where notice of dishonor is duly addressed and deposited in the post-office, the sender is deemed to have given due notice, notwithstanding any miscarriage in the mails.

**Sec. 106. Deposit in post-office; what constitutes.** Notice is deemed to have been deposited in the post-office when deposited in any branch post-office or in any letter box under the control of the post-office department.

**Sec. 107. Notice to subsequent party; time of.** Where a party receives notice of dishonor, he has, after the receipt of such notice, the same time for giving notice to antecedent parties that the holder has after the dishonor.

**Sec. 108. When notice must be sent.** Where a party has added an address to his signature, notice of dishonor must be sent to that address; but if he has not given such address, then the notice must be sent as follows:

(1.) Either to the post-office nearest to his place of residence, or to the post-office where he is accustomed to receive his letters; or

(2.) If he live in one place, and have his place of business in another, notice may be sent to either place; or

(3.) If he is sojourning in another place, notice may be sent to the place where he is so sojourning.

But where the notice is actually received by the party within the time specified in this act, it will be sufficient, though not sent in accordance with the requirements of this section.

**Sec. 109. Waiver of notice.** Notice of dishonor may be waived, either before the time of giving notice has arrived, or after the omission to give due notice, and the waiver may be express or implied.

**Sec. 110. Whom affected by waiver.** Where the waiver is embodied in the instrument itself, it is binding upon all parties; but where it is written above the signature of an indorser, it binds him only.



## CHAP. 257

**Sec. 111. Waiver of protest.** A waiver of protest, whether in the case of a foreign bill of exchange or other negotiable instrument, is deemed to be a waiver not only of a formal protest, but also of presentment and notice of dishonor.

**Sec. 112. When notice is dispensed with.** Notice of dishonor is dispensed with when, after the exercise of reasonable diligence, it cannot be given to or does not reach the parties sought to be charged.

**Sec. 113. Delay in giving notice; how excused.** Delay in giving notice of dishonor is excused when the delay is caused by circumstances beyond the control of the holder, and not imputable to this default, misconduct or negligence. When the cause of delay ceases to operate, notice must be given with reasonable diligence.

**Sec. 114. When notice need not be given to drawer.** Notice of dishonor is not required to be given to the drawer in either of the following cases:

- (1.) Where the drawer or drawee are the same person;
- (2.) When the drawee is a fictitious person or a person not having capacity to contract;
- (3.) When the drawer is the person to whom the instrument is presented for payment;
- (4.) Where the drawer has no right to expect or require that the drawee or acceptor will honor the instrument;
- (5.) Where the drawer has countermanded payment.

**Sec. 115. When notice need not be given to indorser.** Notice of dishonor is not required to be given to an indorser in either of the following cases:

- (1.) Where the drawee is a fictitious person or a person not having capacity to contract, and the indorser was aware of the fact at the time he indorsed the instrument;
- (2.) Where the indorser is the person to whom the instrument is presented for payment;
- (3.) Where the instrument was made or accepted for his accommodation.

**Sec. 116. Notice of non-payment where acceptance refused.** Where due notice of dishonor by non-acceptance has been given notice of a subsequent dishonor by non-payment is not necessary, unless in the meantime the instrument has been accepted.

**Sec. 117. Effect of omission to give notice of non-acceptance.** An omission to give notice of dishonor by non-acceptance does not prejudice the rights of a holder in due course subsequent to the omission.

**Sec. 118. When protest need not be made; when must be made.** Where any negotiable instrument has been dishonored it may be protested for non-acceptance or non-payment, as the case may be; but protest is not required except in the case of foreign bills of exchange.

#### **Discharge of Negotiable Instruments.**

**Sec. 119. Instrument; how discharged.** A negotiable instrument is discharged:

**CHAP. 257**

- (1.) By payment in due course by or on behalf of the principal debtor;
- (2.) By payment in due course by the party accommodated, where the instrument is made or accepted for accommodation;
- (3.) By the intentional cancellation thereof by the holder;
- (4.) By any other act which will discharge a simple contract for the payment of money;
- (5.) When the principal debtor becomes the holder of the instrument at or after maturity in his own right.

**Sec. 120. When persons secondarily liable on, discharged.** A person secondarily liable on the instrument is discharged:

- (1.) By any act which discharges the instrument;
- (2.) By the intentional cancellation of his signature by the holder;
- (3.) By the discharge of a prior party;
- (4.) By a valid tender of payment made by a prior party;
- (5.) By a release of the principal debtor, unless the holder's right of recourse against the party secondarily liable is expressly reserved;
- (6.) By any agreement binding upon the holder to extend the time of payment, or to postpone the holder's right to enforce the instrument, unless made with the assent of the party secondarily liable, or unless the right of recourse against such party is expressly reserved.

**Sec. 121. Right of party who discharges instrument.** Where the instrument is paid by a party secondarily liable thereon, it is not discharged; but the party so paying it is remitted to his former rights as regards all prior parties, and he may strike out his own and all subsequent indorsements, and again negotiate the instrument, except:

- (1.) Where it is payable to the order of a third person, and has been paid by the drawer; and
- (2.) Where it was made or accepted for accommodation, and has been paid by the party accommodated.

**Sec. 122. Renunciation by holder.** The holder may expressly renounce his rights against any party to the instrument, before, at or after its maturity. An absolute and unconditional renunciation of his rights against the principal debtor made at or after the maturity of the instrument discharges the instrument. But a renunciation does not affect the rights of a holder in due course without notice. A renunciation must be in writing, unless the instrument is delivered up to the person primarily liable thereon.

**Sec. 123. Cancellation; unintentional; burden of proof.** A cancellation made unintentionally, or under a mistake or without the authority of the holder, is inoperative; but where an instrument or any signature thereon appears to have been cancelled the burden of proof lies on the party who alleges that the cancellation was made unintentionally, or under a mistake or without authority.

**Sec. 124. Alteration of instrument; effect of.** Where a negotiable instrument is materially altered without the assent of all parties liable thereon, it is avoided, except as against a party who has himself made, authorized or assented to the alteration, and subsequent indorsers.

But when an instrument has been materially altered and is in the hands of a holder in due course, not a party to the alteration, he may enforce payment thereof according to its original tenor.

**Sec. 125. What constitutes a material alteration.** Any alteration which changes:

- (1.) The date;
- (2.) The sum payable, either for principal or interest;
- (3.) The time or place of payment;
- (4.) The number or the relations of the parties;
- (5.) The medium or currency in which payment is to be made;

Or which adds a place of payment where no place of payment is specified, or any other change or addition which alters the effect of the instrument in any respect, is a material alteration.

### **Bills of Exchange**

#### **Form and Interpretation.**

**Sec. 126. Bill of exchange defined.** A bill of exchange is an unconditional order in writing addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand or at a fixed or determinable future time a sum certain in money to order or to bearer.

**Sec. 127. Bill not an assignment of funds in hands of drawee.** A bill of itself does not operate as an assignment of the funds in the hands of the drawee available for the payment thereof, and the drawee is not liable on the bill unless and until he accepts the same.

**Sec. 128. Bill addressed to more than one drawee.** A bill may be addressed to two or more drawees jointly, whether they are partners or not; but not to two or more drawees in the alternative or in succession.

**Sec. 129. Inland and foreign bills of exchange.** An inland bill of exchange is a bill which is, or on its face purports to be, both drawn and payable within this state. Any other bill is a foreign bill. Unless the contrary appears on the face of the bill, the holder may treat it as an inland bill.

**Sec. 130. When bill may be treated as promissory note.** Where in a bill drawer and drawee are the same person, or where the drawee is a fictitious person, or a person not having capacity to contract, the holder may treat the instrument, at his option, either as a bill of exchange or a promissory note.

**Sec. 131. Referee in case of need.** The drawer of a bill and any indorser may insert thereon the name of a person to whom the holder may resort in case of need, that is to say in case the bill is dishonored by non-acceptance or non-payment. Such person is called the referee in case of need. It is in the option of the holder to resort to the referee in case of need or not as he may see fit.

### Acceptance.

**Sec. 132. Acceptance; how made, et cetera.** The acceptance of a bill is the signification by the drawee of his assent to the order of the drawer. The acceptance must be in writing and signed by the drawee. It must not express that the drawee will perform his promise by any other means than the payment of money.

**Sec. 133. Holder entitled to acceptance on face of bill.** The holder of a bill presenting the same for acceptance may require that the acceptance be written on the bill and, if such request is refused, may treat the bill as dishonored.

**Sec. 134. Acceptance by separate instrument.** Where an acceptance is written on a paper other than the bill itself, it does not bind the acceptor except in favor of a person to whom it is shown and who, on the faith thereof, receives the bill for value.

**Sec. 135. Promise to accept; when equivalent to acceptance.** An unconditional promise in writing to accept a bill before it is drawn is deemed an actual acceptance in favor of every person who upon the faith thereof, receives the bill for value.

**Sec. 136. Time allowed drawee to accept.** The drawee is allowed twenty-four hours after presentment, in which to decide whether or not he will accept the bill; but the acceptance if given, dates as of the day of presentation.

**Sec. 137. Liability of drawee retaining or destroying bill.** Where a drawee to whom a bill is delivered for acceptance destroys the same, or refuses within twenty-four hours after such delivery, or within such other period as the holder may allow, to return the bill accepted or non-accepted to the holder, he will be deemed to have accepted the same.

**Sec. 138. Acceptance of incomplete bill.** A bill may be accepted before it has been signed by the drawer, or while otherwise incomplete, or when it is overdue, or after it has been dishonored by a previous refusal to accept, or by non-payment. But when a bill payable after sight is dishonored by non-acceptance and the drawee subsequently accepts it, the holder in the absence of any different agreement, is entitled to have the bill accepted as of the date of the first presentment.

**Sec. 139. Kinds of acceptances.** An acceptance is either general or qualified. A general acceptance assents without qualification to the order of the drawer. A qualified acceptance in express terms varies the effect of the bill as drawn.

**Sec. 140. What constitutes a general acceptance.** An acceptance to pay at a particular place is a general acceptance, unless it expressly states that the bill is to be paid there only and not elsewhere.

**Sec. 141. Qualified acceptance.** An acceptance is qualified, which is:

(1.) Conditional, that is to say, which makes payment by the acceptor dependent on the fulfillment of a condition therein stated;

- (2.) Partial, that is to say, an acceptance to pay part only of the amount for which the bill is drawn;
- (3.) Local, that is to say, an acceptance to pay only at a particular place;
- (4.) Qualified as to time;
- (5.) The acceptance of some one or more of the drawees, but not of all.

**Sec. 142. Rights of parties as to qualified acceptance.** The holder may refuse to take a qualified acceptance, and if he does not obtain an unqualified acceptance, he may treat the bill as dishonored by non-acceptance. Where a qualified acceptance is taken the drawer and indorsers are discharged from liability on the bill, unless they have expressly or impliedly authorized the holder to take a qualified acceptance, or subsequently assent thereto. When the drawer or an indorser receives notice of a qualified acceptance, he must, within a reasonable time, express his dissent to the holder, or he will be deemed to have assented thereto.

#### **Presentment for Acceptance.**

**Sec. 143. When presentment for acceptance must be made.** Presentment for acceptance must be made:

- (1.) Where the bill is payable after sight, or in any other case, where presentment for acceptance is necessary in order to fix the maturity of the instrument; or
- (2.) Where the bill expressly stipulates that it shall be presented for acceptance; or
- (3.) Where the bill is drawn payable elsewhere than at the residence or place of business of the drawee.

In no other case is presentment for acceptance necessary in order to render any party to the bill liable.

**Sec. 144. When failure to present releases drawer and indorser.** Except as herein otherwise provided, the holder of bill which is required by the next preceding section to be presented for acceptance must either present it for acceptance or negotiate it within a reasonable time. If he fails to do so, the drawer and all indorsers are discharged.

**Sec. 145. Presentment; how made.** Presentment for acceptance must be made by or on behalf of the holder at a reasonable hour, on a business day and before the bill is overdue, to the drawee or some person authorized to accept or refuse acceptance on his behalf; and:

- (1.) Where a bill is addressed to two or more drawees who are not partners, presentment must be made to them all, unless one has authority to accept or refuse acceptance for all, in which case presentment may be made to him only;
- (2.) Where the drawee is dead, presentment may be made to his personal representative;
- (3.) Where the drawee has been adjudged a bankrupt or an insolvent or has made an assignment for the benefit of creditors, presentment may be made to him or to his trustee or assignee.

## CHAP. 257

**Sec. 146. On what days presentment may be made.** A bill may be presented for acceptance on any day on which negotiable instruments may be presented for payment under the provisions of sections seventy-two and eighty-five of this act. When Saturday is not otherwise a holiday, presentment for acceptance may be made before twelve o'clock, noon, on that day.

**Sec. 147. Presentment where time is insufficient.** Where the holder of a bill drawn payable elsewhere than at the place of business or the residence of the drawee has not time with the exercise of reasonable diligence to present the bill for acceptance before presenting it for payment on the day that it falls due, the delay caused by presenting the bill for acceptance before presenting it for payment is excused and does not discharge the drawers and indorsers.

**Sec. 148. Where presentment is excused.** Presentment for acceptance is excused and a bill may be treated as dishonored by non-acceptance, in either of the following cases:

- (1.) Where the drawee is dead, or has absconded, or is a fictitious person or a person not having capacity to contract by bill;
- (2.) Where, after the exercise of reasonable diligence, presentment cannot be made;
- (3.) Where, although presentment has been irregular, acceptance has been refused on some other ground.

**Sec. 149. When dishonored by non-acceptance.** A bill is dishonored by non-acceptance:

- (1.) When it is duly presented for acceptance and such an acceptance as is prescribed by this act is refused or cannot be obtained; or
- (2.) When presentment for acceptance is excused and the bill is not accepted.

**Sec. 150. Duty of holder where bill not accepted.** Where a bill is duly presented for acceptance and is not accepted within the prescribed time, the person presenting it must treat the bill as dishonored by non-acceptance or he loses the right of recourse against the drawer and indorsers.

**Sec. 151. Rights of holder where bill not accepted.** When a bill is dishonored by non-acceptance, an immediate right of recourse against the drawers and indorsers accrues to the holder and no presentment for payment is necessary.

### Protest.

**Sec. 152. In what cases protest necessary.** Where a foreign bill appearing on its face to be such is dishonored by non-acceptance, it must be duly protested for non-acceptance, and where such a bill which has not previously been dishonored by non-acceptance is dishonored by non-payment, it must be duly protested for non-payment. If it is not so protested, the drawer and indorsers are discharged. Where a bill does not appear on its face to be a foreign bill, protest thereof in case of dishonor is unnecessary.

**Sec. 153. Protest; how made.** The protest must be annexed to the bill, or must contain a copy thereof and must be under the hand and seal of the notary making it, and must specify:

- (1.) The time and place of presentment;
- (2.) The fact that presentment was made and the manner thereof;
- (3.) The cause or reason for protesting the bill;
- (4.) The demand made and the answer given, if any, or the fact that the drawee or acceptor could not be found.

**Sec. 154. Protest; by whom made.** Protest may be made by:

- (1.) A notary public; or
- (2.) By any respectable resident of the place where the bill is dishonored, in the presence of two or more credible witnesses.

**Sec. 155. Protest; when to be made.** When a bill is protested, such protest must be made on the day of its dishonor, unless delay is excused as herein provided. When a bill has been duly noted, the protest may be subsequently extended as of the date of the noting.

**Sec. 156. Protest; where made.** A bill must be protested at the place where it is dishonored, except that when a bill drawn payable at the place of business, or residence of some person other than the drawee, has been dishonored by non-acceptance, it must be protested for non-payment at the place where it is expressed to be payable, and no further presentment for payment to, or demand on, the drawee is necessary.

**Sec. 157. Protest both for non-acceptance and non-payment.** A bill which has been protested for non-acceptance may be subsequently protested for non-payment.

**Sec. 158. Protest before maturity where acceptor insolvent.** Where the acceptor has been adjudged a bankrupt or an insolvent, or has made an assignment for the benefit of creditors, before the bill matures, the holder may cause the bill to be protested for better security against the drawer and indorsers.

**Sec. 159. When protest dispensed with.** Protest is dispensed with by any circumstances which would dispense with notice of dishonor. Delay in noting or protesting is excused when delay is caused by circumstances beyond the control of the holder and not imputable to his default, misconduct or negligence. When the cause of delay ceases to operate, the bill must be noted or protested with reasonable diligence.

**Sec. 160. Protest where bill is lost, et cetera.** When a bill is lost or destroyed or is wrongly detained from the person entitled to hold it, protest may be made on a copy or written particulars thereof.

#### **Acceptance for Honor.**

**Sec. 161. When bill may be accepted for honor.** Where a bill of exchange has been protested for dishonor by non-acceptance or protested for better security, and is not overdue, any person not being a party already liable thereon may, with the consent of the holder, intervene and accept the

**CHAP. 257**

bill *supra protest* for the honor of any party liable thereon, or for the honor of the person for whose account the bill is drawn. The acceptance for honor may be for the part only of the sum for which the bill is drawn; and where there has been an acceptance for honor for one party, there may be a further acceptance by a different person for the honor of another party.

**Sec. 162. Acceptance for honor; how made.** An acceptance for honor *supra protest* must be in writing, and indicate that it is an acceptance for honor, and must be signed by the acceptor for honor.

**Sec. 163. When deemed to be an acceptance for honor of the drawer.** Where an acceptance for honor does not expressly state for whose honor it is made, it is deemed to be an acceptance for the honor of the drawer.

**Sec. 164. Liability of the acceptor for honor.** The acceptor for honor is liable to the holder and to all parties to the bill subsequent to the party for whose honor he has accepted.

**Sec. 165. Agreement of acceptor for honor.** The acceptor for honor, by such acceptance engages that he will on due presentment pay the bill according to the terms of his acceptance, provided it shall not have been paid by the drawee, and provided also, that it shall have been duly presented for payment and protested for non-payment and notice of dishonor given him.

**Sec. 166. Maturity of bill payable after sight; accepted for honor.** Where a bill payable after sight is accepted for honor, its maturity is calculated from the date of the noting for non-acceptance and not from the date of the acceptance for honor.

**Sec. 167. Protest of bill accepted for honor, et cetera.** Where a dishonored bill has been accepted for honor *supra protest* or contains a reference in case of need, it must be protested for non-payment before it is presented for payment to the acceptor for honor or referee in case of need.

**Sec. 168. Presentment for payment to acceptor for honor; how made.** Presentment for payment to the acceptor for honor must be made as follows:

(1.) If it is to be presented in the place where the protest for non-payment was made, it must be presented not later than the day following its maturity;

(2.) If it is to be presented in some other place than the place where it was protested, than it must be forwarded within the time specified in section one hundred and four.

**Sec. 169. When delay in making presentment is excused.** The provisions of section eighty-one apply where there is delay in making presentment to the acceptor for honor or referee in case of need.

**Sec. 170. Dishonor of bill by acceptor for honor.** When the bill is dishonored by the acceptor for honor it must be protested for non-payment by him.



**Payment for Honor.**

**Sec. 171. Who may make payment for honor.** Where a bill has been protested for non-payment, any person may intervene and pay it supra protest for the honor of any person liable thereon or for the honor of the person for whose account it was drawn.

**Sec. 172. Payment for honor; how made.** The payment for honor supra protest in order to operate as such and not as a mere voluntary payment must be attested by a notarial act of honor which may be appended to the protest or form an extension to it.

**Sec. 173. Declaration before payment for honor.** The notarial act of honor must be founded on a declaration made by the payer for honor or by his agent in that behalf declaring his intention to pay the bill for honor and for whose honor he pays.

**Sec. 174. Preference of parties offering to pay for honor.** Where two or more persons offer to pay a bill for the honor of different parties, the person whose payment will discharge most parties to the bill is to be given the preference.

**Sec. 175. Effect on subsequent parties where bill is paid for honor.** Where a bill has been paid for honor, all parties subsequent to the party for whose honor it is paid are discharged, but the payer for honor is subrogated for, and succeeds to, both the rights and duties of the holder as regards the party for whose honor he pays and all parties liable to the latter.

**Sec. 176. Where holder refuses to receive payment supra protest.** Where the holder of a bill refuses to receive payment supra protest, he loses his right of recourse against any party who would have been discharged by such payment.

**Sec. 177. Rights for payer for honor.** The payer for honor, on paying to the holder the amount of the bill and the notarial expenses incidental to its dishonor, is entitled to receive both the bill itself and the protest.

**Bills In A Set.**

**Sec. 178. Bills in sets constitute one bill.** Where a bill is drawn in a set, each part of the set being numbered and containing a reference to the other parts, the whole of the parts constitutes one bill.

**Sec. 179. Right of holders where different parts are negotiated.** Where two or more parts of a set are negotiated to different holders in due course, the holder whose title first accrues is as between such holders the true owner of the bill. But nothing in this section affects the rights of a person who in due course accepts or pays the part first presented to him.

**Sec. 180. Liability of holder who indorses two or more parts of a set to different persons.** Where the holder of a set indorses two or more parts to different persons he is liable on every such part, and every indorser subsequent to him is liable on the part he has himself indorsed, as if such parts were separate bills.

**CHAP. 257**

**Sec. 181. Acceptance of bills drawn in sets.** The acceptance may be written on any part and it must be written on one part only. If the drawee accepts more than one part, and such accepted parts are negotiated to different holders in due course, he is liable on every such part as if it were a separate bill.

**Sec. 182. Payment by acceptor of bills drawn in sets.** When the acceptor of a bill drawn in a set pays it without requiring the part bearing his acceptance to be delivered up to him, and that part at maturity is outstanding in the hands of a holder in due course, he is liable to the holder thereon.

**Sec. 183. Effect of discharging one of a set.** Except as herein otherwise provided where any one part of a bill drawn in a set is discharged by payment or otherwise the whole bill is discharged.

**Promissory Notes and Checks.**

**Sec. 184. Promissory notes defined.** A negotiable promissory note within the meaning of this act is an unconditional promise in writing made by one person to another signed by the maker engaging to pay on demand, or at a fixed or determinable future time, a sum certain in money to order or to bearer. Where a note is drawn to the maker's own order, it is not complete until endorsed by him.

**Sec. 185. Check defined.** A check is a bill of exchange drawn on a bank payable on demand. Except as herein otherwise provided, the provisions of this act applicable to a bill of exchange payable on demand apply to a check.

**Sec. 186. Within what time a check must be presented.** A check must be presented for payment within a reasonable time after its issue or the drawer will be discharged from liability thereon to the extent of the loss caused by the delay.

**Sec. 187. Certification of check; effect of.** Where a check is certified by the bank on which it is drawn, the certification is equivalent to an acceptance.

**Sec. 188. Effect where the holder of check procures it to be certified.** Where the holder of a check procures it to be accepted or certified the drawer and all indorsers are discharged from liability thereon.

**Sec. 189. When check operates as an assignment.** A check of itself does not operate as an assignment of any part of the funds to the credit of the drawer with the bank, and the bank is not liable to the holder, unless and until it accepts or certifies the check.

**General Provisions.**

**Sec. 190. Short title.** This act may be cited as the Uniform Negotiable Instruments Act.

**Sec. 191. Definitions and meaning of terms.** In this act, unless the context otherwise requires:

“Acceptance” means an acceptance completed by delivery or notification.

“Action” includes counter-claim and set-off.

“Bank” includes any person or association of persons carrying on the business of banking, whether incorporated or not.

“Bearer” means the person in possession of a bill or note which is payable to bearer.

“Bill” means bill of exchange, and “note” means negotiable promissory note.

“Delivery” means transfer of possession, actual or constructive, from one person to another.

“Holder” means the payee or indorsee of a bill or note, who is in possession of it, or the bearer thereof.

“Indorsement” means an indorsement completed by delivery.

“Instrument” means negotiable instrument.

“Issue” means the first delivery of the instrument, complete in form, to a person who takes it as a holder.

“Person” includes a body of persons, whether incorporated or not.

“Value” means valuable consideration.

“Written” includes printed, and “writing” includes print.

**Sec. 192. Person primarily liable on instrument.** The person “primarily” liable on an instrument is the person who by the terms of the instrument is absolutely required to pay the same. All other parties are “secondarily” liable.

**Sec. 193. Reasonable time, what constitutes.** In determining what is a “reasonable time” or an “unreasonable time,” regard is to be had to the nature of the instrument, the usage of trade or business (if any) with respect to such instruments, and the facts of the particular case.

**Sec. 194. Time, how computed; when last day falls on holiday.** Where the day, or the last day, for doing any act herein required or permitted to be done falls on Sunday or on a holiday, the act may be done on the next succeeding secular or business day.

**Sec. 195. Provisions not retroactive.** The provisions of this act do not apply to negotiable instruments made and delivered prior to the [taking effect] hereof.

**Sec. 196. Cases not provided for in act.** In any case not provided for in this act the rules of [law and equity including] the law merchant shall govern.

**Sec. 197. Inconsistent statutes repealed.** All acts and parts of acts inconsistent with this act are hereby repealed.

## Chapter 258.

An Act to Amend Chapter Twenty-five of the Revised Statutes Relating to State and State aid Highways, and to Provide a Mill Tax Fund for Their Construction.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 25, § 6, relating to duties and powers of state highway commission, amended.** Section six, chapter twenty-five of the revised statutes is hereby amended by inserting after the word "shall" in the sixth line the following: 'with the approval of the governor and council;' said section is further amended by striking out after the word "designate" in the seventeenth line the following: "The commission may establish detour roads during the construction or repair of state or state aid highways, and may authorize the expenditure of such sums as it deems necessary to make the same safe for travel" and inserting the following: "Whenever it becomes necessary to close a state highway to travel on account of construction, before such state highway is closed the commission shall establish the most practical detour road around the state highway to be constructed, have the same properly signed at all intersecting roads or streets indicating the principal town or city in either direction and cause the detour road to be put in proper condition to withstand the travel and maintained in such condition until the state highway being constructed is opened to travel. If the commission neglects to so sign, establish or maintain such detour road the same shall be done by order of the governor and council. Whenever practical the travel shall be permitted to pass over a state highway under construction and the commission shall then cause to be erected the following sign at either end of the construction work: "State road under construction. Pass at your risk. Maine State Highway Commission." Upon the completion of the state highway the commission shall cause the immediate removal of all such signs as also all detour signs'; so that said section as amended shall read as follows:

**'Sec. 6. Governor and council to supervise expenditures; shall order detour roads signed, etc., upon failure of commission. Travel to pass over state road when possible.** The commission may from time to time make and shall enforce rules and regulations relating to construction and maintenance of all state and state aid highways and relating to the manner of conducting all investigations and hearings and the administration of its office, powers and duties, subject to the provisions of this chapter; and shall, with the approval of the governor and council, direct the expenditure of all moneys for construction and maintenance of all state and state aid highways. The commission may from time to time purchase, lease or hire all machinery, tools, implements and property necessary for highway engineering and construction and for the administration and execution of its duties, and may contract for such labor, materials and property as it may deem necessary for the examination, building and construction of state and state aid highways. The commission may be consulted by and shall without charge advise municipal officers and road commissioners on the subject of construction and maintenance of public highways. On all state and state aid highways all guide posts shall be of such reasonable form, height and design as the com-

## CHAP. 268

mission shall designate. Whenever it becomes necessary to close a state highway to travel on account of construction, before such state highway is closed the commission shall establish the most practical detour road around the state highway to be constructed, have the same properly signed at all intersecting roads or streets indicating the principal town or city in either direction and cause the detour road to be put in proper condition to withstand the travel and maintained in such condition until the state highway being constructed is open to travel. If the commission neglects to so sign, establish or maintain such detour road the same shall be done by order of the governor and council. Whenever practical the travel shall be permitted to pass over a state highway under construction and the commission shall then cause to be erected the following sign at either end of the construction work: "State road under construction. Pass at your risk. Maine State Highway Commission." Upon completion of the state highway the commission shall cause the immediate removal of all such signs as also all detour signs. In all state and state aid highway construction and maintenance the commission shall have the powers of municipal officers conferred by section twenty-six of chapter twenty-two of the revised statutes relating to construction and maintenance of ditches and drains. The commission shall whenever practicable give preference in employment to the inhabitants of the town in which such highways are located.'

**Sec. 2. R. S., c. 25, § 7, relating to expense of state and state aid highways, amended.** Section seven of said chapter twenty-five is hereby amended by striking out after the word "issue" in the tenth line the following: "herein provided for, and the proceeds of the aggregate of such bonds" and inserting in place thereof the following: 'and the fund for the construction of state highways herein provided for and such proceeds of the aggregate of such bonds and such state highway fund,' so that said section as amended shall read as follows:

**'Sec. 7. Partial expense of highway construction to be met by fund created herein.** The commission shall lay out, construct and maintain a system of state and state aid highways substantially as herein described, and the expense of constructing such state highways shall be borne wholly by the state, except as otherwise provided in section twenty-two. The commission shall be sole arbiter of the designation of the state and state aid highways, but shall, as to state highways, after reasonable notice by publication give all parties interested an opportunity to be heard thereon before commencing such construction. Except as provided in section twenty-two, the construction of state highways shall be paid for wholly from the proceeds of the state bond issue and the fund for the construction of state highways herein provided for and such proceeds of the aggregate of such bonds and such state highway fund shall be expended equitably among the various counties.'

**Sec. 3. R. S., c. 25, § 10, relating to contracts for construction, amended.** Section ten of said chapter twenty-five is hereby amended by inserting after the word "approve" in the twenty-eighth line, the following: 'The commission may, however, with the approval of the governor and council, let contracts for state highway construction or do the same for, and in behalf of the

**CHAP. 258**

state without advertising for bids if the same shall be for the best interests of the state,' so that said section as amended shall read as follows:

**'Sec. 10. Contracts may be let without advertising for bids, if for best interest of state.** The commission shall have full power in the letting of all contracts for the construction of all state and state aid highways except as elsewhere herein otherwise provided. The commission shall make all surveys, plans, estimates, specifications and contracts for all proposed work, and shall, except as otherwise provided in this chapter, advertise for bids for the same in two or more public newspapers printed wholly or in part in the state, also in one public newspaper printed wholly or in part in the county where the proposed work is to be done, if any such newspaper is so printed in such county; such advertisement shall state the place where the bidders may examine the plans and specifications, and the time and place where the bids for such work will be received by the commission. Each bidder must accompany his bid with a certified check, payable to the treasurer of state, for ten per cent. of the amount of his bid as a guarantee that if the work is awarded to him he will contract with the commission for its due execution; such checks shall be returned to the respective unsuccessful bidders. The check of the successful bidder shall be returned to him upon the execution and delivery to the commission of his contract and his bond with sufficient sureties, in terms satisfactory to the commission for the due execution of such work. All bids so submitted shall be publicly opened, read and posted at the time and place stated in such advertisement. The commission shall have the right to reject any and all bids if in its opinion good cause exists therefor, but otherwise it shall award the contract to the lowest responsible bidder. Any town may submit bids for state and state aid highway construction within its limits, and shall be subject to all requirements prescribed for other contractors, except that no bond need be required of it. If all bids for work under this chapter are rejected, or if no bids are received, the commission may perform said work by any method which the governor and council approve. The commission may, however, with the approval of the governor and council, let contracts for state highway construction, or do the same, for and in behalf of the state without advertising for bids if the same shall be for the best interests of the state. The commission shall have full power in all matters relating to the furnishing of bonds by the successful bidders for the completion of their work and fulfilling of their contracts, and for the protection of the state and town from all liability arising from damage or injury to persons or property. The commission after making surveys, plans and estimates for proposed construction of state aid highways in a town may when deemed by said commission advisable, make contracts with such town according to said survey and specifications and upon terms satisfactory to and under control of the commission without advertising said contracts for bids.'

**Sec. 4. R. S., c. 25, § 20, relating to the apportionment to towns, amended.** Section twenty of said chapter twenty-five is hereby amended by striking out after the words "amounts" in the fifth line all of the remainder of said section and inserting the following: 'To each town having a valuation of two hundred thousand dollars, or less, two dollars and sixty-six cents for each dollar appropriated by said town; to each town having a valu-

## CHAP. 258

ation of over two hundred thousand dollars, and not over one million dollars, one dollar and thirty-three cents for each dollar appropriated by said town; to each town having a valuation of over one million dollars and not over one million two hundred thousand dollars, one dollar and twenty-two cents for each dollar appropriated by said town; to each town having a valuation of over one million two hundred thousand dollars, and not over one million four hundred thousand dollars, one dollar and thirteen cents for each dollar appropriated by said town; to each town having a valuation of over one million four hundred thousand dollars, and not over one million six hundred thousand dollars, one dollar and seven cents for each dollar appropriated by said town; and to each town having a valuation of over one million six hundred thousand dollars, one dollar for each dollar so appropriated by said town. The money appropriated by towns applying for state aid as hereinbefore provided, with the amount apportioned by the commission as hereinbefore provided, shall constitute a joint fund for the construction and permanent improvement of the state aid highways in such towns,' so that said section as amended shall read as follows:

**'Sec. 20. Amount of aid to towns increased.** The commission, from the fund for state aid construction provided by this chapter, shall to each town which has conformed to the provisions of sections eighteen and nineteen, for each dollar so appropriated, apportion the following amounts: To each town having a valuation of two hundred thousand dollars or less, two dollars and sixty-six cents for each dollar appropriated by said town; to each town having a valuation of over two hundred thousand dollars and not over one million dollars, one dollar and thirty-three cents for each dollar appropriated by said town; to each town having a valuation of over one million dollars, and not over one million two hundred thousand dollars, one dollar and twenty-two cents for each dollar appropriated by said town; to each town having a valuation of over one million two hundred thousand dollars, and not over one million four hundred thousand dollars, one dollar and thirteen cents for each dollar appropriated by said town; to each town having a valuation of over one million four hundred thousand dollars, and not over one million six hundred thousand dollars, one dollar and seven cents for each dollar appropriated by said town; and to each town having a valuation of over one million six hundred thousand dollars, one dollar for each dollar so appropriated by said town. The money appropriated by towns applying for state aid as hereinbefore provided, with the amount apportioned by the commission as hereinbefore provided, shall constitute a joint fund for the construction and permanent improvement of the state aid highways in such towns.'

**Sec. 5. R. S., c. 25, § 21, relating to towns availing themselves of special provision for increased aid, amended.** Section twenty-one of said chapter twenty-five is hereby amended by striking out after the word "year" in the first line the words "prior to the year nineteen hundred and twenty" and adding after the last word in said section, the following: 'Provided, however, that in the distribution of the state funds as hereinunder provided, additional to the regular annual state aid, preference shall be given to cities and towns which shall not have previously received the said additional appro-

**CHAP. 258**

priation from the state as provided under this section; further provided, however, that after payment of the additional state aid called for by this section the commission may set aside from the fund for state aid highways a special road fund not to exceed fifty thousand dollars in any one year. This fund shall be apportioned by the commission, for assisting towns having an excessive highway burden, to eliminate especially bad sections on their principal roads. Nevertheless, if there should not be sufficient surplus from the said state aid highway fund to provide for the said special road fund, there may be taken by the commission, from the maintenance and administration fund created by section thirty-three of this chapter a sufficient amount to make up said special road fund,' so that said section as amended shall read as follows:

**'Sec. 21. Provision as to date when available repealed; preference to towns not having received increase; fund created for special use. Maintenance and administration fund available.** If any town shall in any single year increase its appropriation for state aid roads to an amount not exceeding five times the maximum amount which it may annually appropriate under section eighteen, the commission may, from any balance of said fund for state aid construction, after the appropriations contemplated in section twenty, and subject to the provisions of section twenty-three as to apportionment, appropriate a like increase of state aid together with an additional sum equal to twenty-five per cent of such increase of state aid; but such appropriation shall not deprive the town of its right to the regular annual state aid in other years; the appropriations contemplated by this section shall be united with and become a part of the joint fund referred to in section twenty. Provided, however, that in the distribution of the state funds as hereinunder provided, additional to the regular annual state aid, preference shall be given to cities and towns which shall not have previously received the said additional appropriation from the state as provided under this section; further provided, however, that after payment of the additional state aid called for by this section the commission may set aside from the fund for state aid highways a special road fund not to exceed fifty thousand dollars in any one year. This fund shall be apportioned by the commission, for assisting towns having an excessive highway burden, to eliminate especially bad sections on their principal roads. Nevertheless, if there should not be a sufficient surplus from the state aid highway fund to provide for the said special road fund, there may be taken by the commission, from the maintenance and administration fund created by section thirty-three of this chapter a sufficient amount to make up said special road fund.'

**Sec. 6. R. S., c. 25, § 33, relating to automobile fees, amended.** Section thirty-three of chapter twenty-five of the revised statutes is hereby amended by inserting after the word "necessary" in the fifth line the words 'to pay bonds maturing during the current year' and by striking out all after the word "third" in the fifth line of said section and inserting in place thereof the following: 'to provide funds for the administration of the office and the duties of the commission and for all expenditures, salaries and expense incident thereto as provided in this chapter and for all maintenance requirements under sections eight, seventeen, twenty-five, twenty-six and twenty-



seven as herein provided, to which shall be added from time to time the amounts provided under sections nine, twelve and thirty-four; fourth, to apply the balance upon state and state aid road work, and any balance left unexpended in any year shall be carried over to the same account for the following year,' so that said section as amended shall read as follows:

**'Sec. 33. Manner in which fund is to be expended more clearly defined. Unexpended balances carried over.** All fees received by the treasurer of the state under section thirty-five of chapter twenty-six shall be appropriated and used in the following order, namely: first, to pay interest due on all bonds issued under this chapter; second, to create such fund to meet maturing bonds as the governor and council may deem necessary to pay bonds maturing during the current year; third, to provide funds for the administration of the office and duties of the commission and for all expenditures, salaries and expense incident thereto as provided in this chapter and for all maintenance requirements under sections eight, seventeen, twenty-five, twenty-six and twenty-seven, as herein provided, to which shall be added from time to time the amounts provided under sections nine, twelve, and thirty-four; fourth, to apply the balance on state and state aid road work, and any balance left unexpended in any year shall be carried over to the same account for the following year.'

**Sec. 7. R. S., c. 25, § 35, relating to appropriation for administration, repealed.** Section thirty-five of chapter twenty-five of the revised statutes is hereby repealed.

**Sec. 8. Sections added.** The following sections are hereby added to chapter twenty-five of the revised statutes as amended by this act:

**'Sec. 35. Fund available exclusive of reissue of bonds.** There shall be provided for state highway construction during the year nineteen hundred seventeen not less than five hundred thousand dollars exclusive of funds received from the reissue of bonds now or hereafter to be retired. Said five hundred thousand dollars to include all sums received from the federal government, and any unexpended balance of this fund at the end of the year shall be added to this fund for state highways for the next year.'

**'Sec. 36. Mill tax highway fund created; how expended.** A tax of one mill on a dollar shall annually be assessed upon all property of the state according to the value thereof, and shall be known as the mill tax highway fund for the construction of state and state aid highways as defined in section five, chapter twenty-five of the revised statutes. The proceeds of this tax shall be used wholly for the construction of state and state aid highways as contemplated by said chapter twenty-five. Two hundred thousand dollars of the amount herein named shall be added to the fund of three hundred thousand dollars for state aid construction as provided in section thirty-four, chapter twenty-five of the revised statutes, and shall be applied to the construction of state aid highways and shall be called state aid highway fund. The balance of said mill tax highway fund shall be used exclusively for the construction of state highways as provided in chapter twenty-five of the revised statutes and shall be called state highway fund; except so far as may

**CHAP. 259**

be necessary to meet the requirements of the national government in order for the state to receive federal aid for highway construction, the state highway fund shall be expended equitably among the several counties of the state by the state highway commission.'

'**Sec. 37. Mill tax, how collected; fund not to be expended on business streets, etc.** This tax shall be assessed and collected in the same manner as other state taxes, and shall be paid to the state treasury and designated as the mill tax highway fund. No part of said mill tax highway fund shall be expended on that portion of a street devoted exclusively to business or on any street where the houses on each side of the street average less than twenty feet apart for a distance of one-half mile in cities or towns of over twenty-five hundred inhabitants.'

'**Sec. 38. Unexpended balances, disposition of.** All of said state highway fund not expended during the fiscal year, shall, at its close, be carried over to the state highway fund for the succeeding year and used for the construction of state highways. All of said state aid highway fund not expended during the fiscal year, shall, at its close, be added to the fund for maintenance and administration as provided in section thirty-three, chapter twenty-five of the revised statutes, and expended in accordance with the provisions of said section thirty-three.'

Approved April 7, 1917.

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## **Chapter 259.**

### **An Act to Revise the Military Law.**

**Preamble.** Whereas, owing to the present disturbed diplomatic relations, a revision of the military laws of Maine to conform with the requirements of the national laws governing the militia and national guard is an emergency measure immediately necessary for the preservation of the public peace, health or safety, now, therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Composition of militia.** The militia of the State of Maine shall consist of all able-bodied male citizens of the state and all other able-bodied males who have or shall have declared their intention to become citizens of the United States, who shall be more than eighteen years of age, and, except as hereinafter provided, not more than forty-five years of age, and said militia shall be divided into three classes, the national guard, the naval militia, and the unorganized militia.

**Sec. 2. Composition of national guard.** The national guard shall consist of the regularly enlisted militia between the ages of eighteen and forty-five years organized, armed, and equipped as hereinafter provided, and of commissioned officers between the ages of twenty-one and sixty-four years.

**Sec. 3. Exemption from military duty.** The vice-president of the United States; the officers, judicial and executive, of the government of the United

States and of the several states and territories; persons in the military or naval service of the United States; custom-house clerks; persons employed by the United States in the transmission of the mail; artificers and workmen employed in the armories, arsenals, and navy yards of the United States; pilots; mariners actually employed in the sea service of any citizen or merchant within the United States, shall be exempt from militia duty without regard to age, and all persons who because of religious belief shall claim exemption from military service, if the conscientious holding of such belief by such person shall be established under such regulations as the President shall prescribe, shall be exempted from militia service in a combatant capacity; but no person so exempted shall be exempt from militia service in any capacity that the President shall declare to be non-combatant.

**Sec. 4. Enrollment.** All male citizens who are more than eighteen and less than forty-five years of age, excepting idiots, lunatics, paupers, vagabonds, habitual drunkards, and persons convicted of infamous crimes, and who are resident in this state, shall, whenever the governor may deem necessary, be enrolled by the assessors in the several cities, towns and plantations in which they reside, in such manner and according to such regulations as the governor shall prescribe. On such enrollment and opposite the name of each person who is exempt from duty under section three or who is serving in the active militia, or who is unable by reason of physical disability to perform military duty, the assessors shall write the word "exempt" and state in each case the cause of exemption. The assessors shall subscribe said list and make oath that the same is true to the best of their knowledge and belief; and shall file the same with the clerk of the city, town or plantation forthwith; and each clerk shall, within ten days, make a certified statement of the total number enrolled, the number marked exempt, the number belonging to the active militia and the number marked disabled, and forward the same to the office of the adjutant general. Any person claiming exemption shall satisfy the enrolling officer of his right thereto and in case of doubt the burden of proof shall be upon the person claiming exemption, and the enrolling officer may require him to submit to examination on oath and may administer such oath.

**Sec. 5. Refusal to give information a misdemeanor.** Any person knowingly and wilfully refusing information or giving false information to an assessor or other authorized person making the enrollment, respecting the name, age, residence, occupation, military service, physical or mental condition, or other proper subject of inquiry, of himself or any person within his knowledge liable to be enrolled, shall for each such concealment, refusal, or giving of false information be guilty of a misdemeanor. The officer making the enrollment shall, within ten days, report all persons violating this section to the adjutant general.

**Sec. 6. Failure of assessors to perform duty.** Any assessor neglecting or refusing faithfully to perform the duties of enrolling officer as required by law, or making any false entry upon said rolls, or committing any other fraud therein, and any clerk neglecting to make and forward the statement required by section four, shall be guilty of a misdemeanor. Upon the failure of the assessors to make the enrollment of the militia as required by

**CHAP. 259**

law, the governor may appoint some person to make it at the expense of the city, town or plantation, and the person so appointed shall have all the powers and be subject to the same duties as are prescribed in the case of assessors.

**Sec. 7. Commander in chief.** The governor is the constitutional commander-in-chief of the militia, except of such portions as may be at times in the service of the United States.

**Sec. 8. Staff.** The staff of the commander-in-chief shall consist of the adjutant general, who shall be ex-officio chief of staff, quartermaster general, and paymaster general with rank of brigadier general, the senior officer on duty with each of the staff departments, and four aides-de-camp, with the rank of captain, and one naval aide with the rank of lieutenant. All officers must be at the time of their appointment, commissioned officers in the Maine National Guard, on the active or retired list of or above the grade of captain, but no officers shall be appointed from the retired list who shall have had less than eight years of service in the active militia, the last year of which shall have been within ten years immediately preceding the appointment. The four aides-de-camp and naval aide may be detailed from the commissioned officers of the national guard or naval militia of the grade above specified, but officers so detailed shall not be relieved thereby from their regular duties in the national guard or naval militia except when on duty with the commander-in-chief. Officers of the staff of the commander-in-chief excepting the senior officer on duty in each of the staff departments and detailed aides-de-camp shall be appointed and commissioned by the governor and shall hold office during his pleasure and until their successors are appointed and qualified.

**Calling Out of Militia.**

**Sec. 9. Purposes and procedure.** In case of insurrection, invasion, tumult, riot, mob, or body of men acting together by force with intent to commit a felony or to offer violence to persons or property, or by force and violence to break and resist the laws of this state, or the United States, or of imminent danger thereof, or in the event of public disaster resulting from flood, conflagration, or tempests, the governor shall have the power to order into the active service of the state any part of the national guard that he may deem proper. And whenever the national guard of this state or a part thereof is called forth under the constitution and laws of the United States, the governor shall, unless the order for the call specifies otherwise, order out for service the national guard or such part thereof as may be required; and if the number available be insufficient he shall order out the unorganized militia or such part as may be necessary. The designations of organizations called into the service of the United States shall not, during such service, be given to new organizations.

**Sec. 10. Unorganized militia.** Whenever it shall be necessary to call into active service the unorganized militia, or any part thereof, the governor shall direct his order to the chief municipal officer of any city, town or plantation, who, upon receipt of the same, shall proceed to draft by lot, as many

of the unorganized militia or accept as many volunteers as are required by the governor, and shall forthwith forward to the adjutant general a list of the persons so drafted or accepted as volunteers.

**Sec. 11. Persons failing to respond, deemed deserters.** Every member of the national guard ordered out, and every member of the unorganized militia who volunteers or who is drafted and notified thereof, under the provisions of the preceding section, who does not appear at the time and place designated by his commanding officer, or the chief municipal officer, within twenty-four hours from such time, or who does not produce from a physician in good standing a sworn certificate of physical disability to so appear, shall be deemed a deserter and dealt with as prescribed in the articles of war of the United States.

**Sec. 12. Unorganized militia to be mustered into service.** Whenever any portion of the unorganized militia is called forth under the constitution and laws of the United States, the members thereof shall be immediately mustered into the service for such period as the call may prescribe; and whenever any portion of such unorganized militia shall be ordered into the service of the state they shall be mustered into the service for such period as the governor may direct. Such unorganized militia, when so ordered into active service shall have, as far as practicable, the same system of organization, equipment, training and discipline as are or may thereafter be prescribed for the national guard. The governor shall have the power to appoint the officers for any new organizations formed out of said unorganized militia.

**Sec. 13. Governor may proclaim state of insurrection.** Whenever any portion of the national guard is employed in aid of the civil authority, the governor, if in his judgment the maintenance of law and order will thereby be promoted, may by proclamation declare the county, city, town or plantation in which the troops are serving or any specified portion thereof, to be in a state of insurrection.

**Sec. 14. Governor to issue orders.** Whenever unorganized militia or the national guard, or both, or any number of them or either of them, shall be called forth under the constitution and laws of the United States, and the orders for that purpose shall not be issued to or transmitted through the governor of the state, any officer or officers of the militia or national guard receiving such orders not so issued or transmitted shall communicate the same to the governor as soon as practicable.

**Sec. 15. When called by president.** Whenever the President shall call forth the national guard, or any number of them to be employed in the service of the United States, and specifies in his call the period for which such service is required, the national guard, so called, shall continue to serve during the term so specified, either within or without the territory of the United States, unless sooner relieved by order of the President; provided, that no enlisted man of the national guard shall be liable to service beyond the term of his existing enlistment.

## CHAP. 259

**Sec. 16. Members of militia not personally liable; defense.** No member of the militia ordered into the active service of the state shall be liable civilly or criminally for any act done, or caused, ordered, or directed to be done, by him in furtherance of and while in the performance of his military duty. When an action or proceeding of any nature shall be commenced in any court by any person against any officer or enlisted man of the militia for any act so done, or caused, ordered, or directed to be done, all the expenses of the defense of such proceeding or action, civil or criminal, including fees of witnesses for the defense, defendant's court costs, and all costs for transcripts of records and abstract thereof on appeal, shall be paid by the state, out of the military fund; and it shall be the duty of the attorney general either personally or by one or more assistants to defend such officer or soldier; provided, that where the action or proceeding is criminal the adjutant general shall designate a judge-advocate of the national guard to conduct the defense of such member, or if the services of a judge-advocate be not available, then he shall select some other competent attorney to conduct such defense, and the judge-advocate or other attorney so selected shall receive and be paid out of the military fund a reasonable compensation for his professional services. In any such action or proceeding the defendant may require the person instituting or prosecuting the same to file security for payment of costs that may be awarded the defendant, which costs if recovered in an action, the costs whereof have been paid out of the military fund shall be paid into the state treasury for the benefit of the military fund; and the defendant may, in every such action or proceeding, make a general denial and give the special matter in evidence.

**Adjutant General.**

**Sec. 17. Rank, powers and duties.** The adjutant general of the state shall have the rank of brigadier general, and shall be, ex-officio, chief of staff, quartermaster general, and paymaster general of the state. For the purpose of establishing the relation between the war department and the various staff departments of the state, he shall be the chief of said departments; and the requisitions, purchases, and issues to be made by the senior officer on duty in certain of said departments, as hereinafter prescribed, shall be made by them pursuant and in obedience to his directions and instructions.

(a) He shall control the military department subordinate only to the governor, and may adopt such methods of administration, not inconsistent with the laws, regulations, and customs of the service of the regular army so far as the same may be applicable, as he may deem necessary to render the department efficient.

(b) He will superintend the preparation of all returns, reports, plans and estimates required of the state by the war department; and, on or before the thirty-first day of December of each year, shall make a report to the governor of the strength and condition of the militia and of the business transactions of the department, including a detailed statement of expenditures for all military purposes.

(c) He shall be responsible for the care, preservation, and repair of all military property belonging or issued to the state for the arming and equip-

ping of the militia; and he shall dispose of all military property of the state found unserviceable after a proper inspection, account for the proceeds thereof, and deposit the same into the state treasury to the credit of the military fund.

(d) He shall cause to be turned in, in such manner as the war department may require, such ordnance, accoutrements and equipments belonging to the United States and receive in substitution therefor such prescribed regulation ordnance and equipment, as may be necessary to conform to the standard required by the laws and regulations of the United States.

(e) He shall, under the direction of the governor, prepare requisitions for, and make purchases and issues of, such military property as is necessary to equip the organizations of the national guard according to the standard that is now or may be hereafter prescribed by the laws and regulations of the United States, except such purchases and issues as are hereinafter required to be made by the United States property and disbursing officer or senior officers on duty in the other staff departments; he shall approve the bills of all purchases by whomsoever made and all issues; but no such property shall be issued, or otherwise disposed of, to persons or organizations other than those of the national guard and portions of the unorganized militia called into active service.

(f) He shall keep a just and true account of all expenses necessarily incurred, including pay, transportation and subsistence of officers and enlisted men of the national guard and of all military property; and shall render annually to the governor a statement in detail showing the disposition of all clothing, ordnance, arms, ammunition, and other military property on hand and issued.

(g) He may, upon approval of the governor, sell for cash to officers of the national guard, for their official use, and to organizations of the national guard, any military or naval property which is the property of the state; and he shall with his annual report render to the governor a true account of the sales so made, and shall deposit the proceeds of the same in the state treasury to the credit of the military fund.

Whenever the adjutant general is absent from the state or is unable from any cause to perform his duties, the senior officer on duty in the adjutant general's department or an officer of the national guard present for duty in the state designated by the governor shall during his absence or disability perform the duties of the adjutant general.

**Sec. 18. Bond.** The adjutant general shall give a bond to the state, approved by the governor and council, in the sum of ten thousand dollars, conditioned on the faithful performance of his duties as herein prescribed; and the costs and expenses incurred by entering into such bond shall be paid out of the military fund.

#### **Property and Disbursing Officer.**

**Sec. 19. Apportionment and duties.** The governor shall designate, subject to the approval of the secretary of war, an officer of the national guard who shall be regarded as property and disbursing officer for the United States. He shall receipt and account for all funds and property be-

**CHAP. 250**

longing to the United States in the possession of the national guard and shall make such returns and reports concerning the same as may be required by the secretary of war. When, upon requisition of the governor, the secretary of war pays to the property and disbursing officer so much of the allotment out of the annual appropriation for the support of the national guard as may be necessary for the purposes enumerated therein, he shall render through the war department such account of federal funds entrusted to him for disbursement as may be required by the treasury department.

**Sec. 20. Responsibility for United States military property.** The United States property and disbursing officer shall under the direction of the adjutant general sign requisitions for, receipt for, and be responsible for the care, preservation and repair of all military property belonging to the United States issued for use of the national guard. He shall under such regulations as may be prescribed issue such United States property as may be necessary to arm, uniform and equip the several organizations of the national guard, according to the standard required by the laws and regulations of the United States.

**Sec. 21. Bond.** The property and disbursing officer shall give a bond to the United States, the amount thereof to be determined by the secretary of war, for the faithful performance of his duties and for the safe-keeping and proper disposition of federal property and funds entrusted to his care and the costs and expenses incurred by entering into such bond shall be paid out of the military fund.

**Duties of Administrative Staff.**

**Sec. 22 Inspector general.** The inspector general whenever ordered by the governor shall make an inspection and a detailed report upon the armories, property, books, records, financial condition, and the various organizations of the active militia, and such other duties as the adjutant general may direct or the law require, and submit to the adjutant general a report of the transactions of his office by the fifteenth of December annually.

**Sec. 23. Senior ordnance officer.** The senior ordnance officer shall from time to time submit to the adjutant general requisitions for ordnance property, equipment, and accoutrements and range and target material, which requisition when approved by the adjutant general, and submitted to and signed by the United States property and disbursing officer shall if they be for material issued to the state by the ordnance department be forwarded to that department for supply, and if they be for material not so issued, then by direction of the adjutant general and in the manner prescribed in section thirty-one, the senior ordnance officer shall purchase and direct the issue of such ordnance property and range material, certify all bills therefor as correct, and transmit them to the adjutant general.

He shall, when required or whenever he deems it necessary, report to the adjutant general upon the condition of the ordnance, arms and accoutrements on hand or issued to the national guard; he shall point out all deficiencies and, so far as he is vested with authority, he shall be responsible that all or-



ganizations are armed and equipped as prescribed or as may hereafter be prescribed by the war department.

He shall be the inspector of and shall exercise general supervision over the small-arms practice of the national guard. Whenever ordered by the governor it shall be his duty to make an inspection of all target ranges and shooting galleries used by the national guard, to submit a report to the adjutant general of the condition and necessities of each; and to make a detailed report of the transactions of his office to the adjutant general on the fifteenth day of December annually.

**Sec. 24. Chief surgeon.** The chief surgeon, under the direction of the adjutant general and in the manner prescribed in section thirty-one, shall purchase and direct the issue of all medical supplies and equipment not issued by the United States through the property and disbursing officer, certify all bills therefor as correct and transmit them to the adjutant general. It shall be his duty to make or cause to be made by an officer of the medical department an annual inspection and inventory of the stock of medical supplies on hand at general headquarters, to make a list of the articles and quantities needed to equip the national guard in the manner prescribed by the war department, and transmit the same to the adjutant general; and he shall make to the adjutant general a detailed report of transactions of his office and of the condition and quantity of medical supplies on hand, on the fifteenth day of December annually.

**Sec. 25. Senior officer quartermaster corps.** The senior officer of the quartermaster corps shall, under the direction of the adjutant general, purchase and issue in the manner prescribed in section thirty-one, such subsistence stores and property as are not issued by the United States, certify all bills therefor as correct and transmit them to the adjutant general; he shall make a detailed report of the transactions of his office to the adjutant general on the fifteenth day of December annually.

**Sec. 26. Judge advocate.** The judge advocate shall be an attorney-at-law of the supreme judicial court of this state, of at least five years' standing. He shall be, under the direction of the governor, charged with the supervision of all things relating to the administration of justice in the military forces of the state; he shall diligently scrutinize and examine the proceedings of all courts-martial and courts of inquiry which are submitted to him for review and report thereon to the adjutant general; he shall when directed act as judge advocate or recorder of any military court or board; he shall be the legal adviser of the military department, and to him may be referred for supervision all contracts, agreements, or other instruments, to be drawn or executed in the course of the business thereof. He shall make a detailed report of the transactions of his office to the adjutant general on the fifteenth day of December annually.

**Sec. 27. Attorney general of state legal adviser.** The attorney general of the state shall be the legal adviser of the governor, of the adjutant general, and of the armory commission.

**Sec. 28. Appointment of staff officers.** In time of war, insurrection, invasion or rebellion, or of imminent danger thereof, the governor may ap-

## CHAP. 259

point such staff officers and create such chiefs of staff departments as may be necessary to provide for an increased national guard or to fill the vacancies caused by absence in active service, or for both purposes; provided, that appointments in a staff department or corps shall be made from officers of the existing staff departments or corps as promotions so far as such officers are available; provided, also, that promotion in each staff department or corps and appointments to fill vacancies thus created shall be made as herein-after prescribed. Provided further, that in time of peace, whenever the formations of the national guard shall require it, the governor may organize such additional departments as are thereby made necessary, and whenever such new departments are organized the senior officer on duty with the new staff department shall be ex-officio a member of the governor's staff.

**Sec. 29. Duties of staff officers.** Officers of all staff departments and corps shall perform the duties required of them by law, and such others, not inconsistent with the laws of the state, as correspond to those which are now or may hereafter be required, of the corresponding staff departments or corps of the regular army by the customs of the service, the orders of the war department, and the laws and regulations of the United States.

**Sec. 30. Qualifications of staff officers.** Staff officers, including officers of the pay, inspection, subsistence and medical departments, shall, when appointed, have had previous military experience and shall hold their positions until they reach the age of sixty-four years, unless retired prior to that time by reason of resignation, disability or for cause to be determined by a court-martial legally convened for that purpose, and all vacancies among said officers shall be filled by appointment from the officers of the national guard.

### **Purchase of Military Property.**

**Sec. 31. Procedure by purchasing officer.** Purchases of military property not exceeding one hundred dollars in value may be made in such manner as the purchasing officer may deem best. For other purchases not exceeding five hundred dollars, the purchasing officer shall procure written proposals from at least two parties. For purchases exceeding five hundred dollars in value the purchasing officer shall publicly advertise, for not less than ten days, for sealed proposals, to be opened at the place, day and hour designated in such advertisement. All bids must be accompanied with a certified check for ten per centum of the amount of the bid; and he may require the person contracting to give bond in such sum and surety as he may direct, conditioned for faithful performance, in default of which such bond shall be prosecuted by the attorney general, and all moneys recovered turned into the state treasury for the benefit of the military fund; provided, that in case of emergency occasioned by war, invasion, riot, insurrection, resistance to the law, or imminent danger thereof, or by flood, conflagration, or tempest, the governor may direct that such property as may be urgently required be purchased in open market. Provided, also, that the right is reserved to reject any or all bids.

**Sec. 32. Officer not to be personally interested.** No officer herein authorized to make purchases or sales of military property shall be concerned, directly or indirectly, in the purchase or sale of any such property, except for and on account of the state; nor shall any such officer take or apply to his own use any gain or emolument for negotiating or transacting any business of his office, other than what is allowed by law.

**Sec. 33. Property purchased to be inspected.** All property purchased under the authority herein granted shall be inspected and no payment shall be made therefor until it shall appear by the certificate of the inspecting officer that the property is of the kind and quality specified in the agreement.

**Sec. 34. Penalty for contracting indebtedness on behalf of state without authorization.** No officer or enlisted man shall contract, or presume to authorize the contracting of any indebtedness on behalf of the state, unless especially authorized to do so by this chapter or by the express order of the governor; and any person in the military service who shall violate the provisions of this section shall be dishonorably discharged and suffer such other punishment as a court-martial may direct.

#### **Organization of National Guard.**

**Sec. 35. Regulation prescribed by commander-in-chief.** The organization, armament, and discipline of the national guard of this state and of the military units thereof shall be the same as that which is now or may hereafter be prescribed or provided by the laws and regulations of the United States for the national guard; and the commander-in-chief is hereby authorized and it shall be his duty to issue and prescribe from time to time such orders and regulations, and to adopt such other means of administration, as shall maintain the prescribed standard of organization, armament and discipline; and it shall be the further duty of the commander-in-chief to prescribe such regulations and to adopt such methods of administration, for the care, preservation, disposition of and accountability for all military property issued to the national guard and belonging to the United States; for procuring, disbursing, and accounting for all military funds allotted to the state; for arming, equipping, and supplying the national guard; and for arranging for such camps of instruction, field service, and rifle practice as shall meet the requirements that are now or may hereafter be prescribed by the laws and regulations of the United States. And such orders, regulations, and means adopted shall have the full force and effect of law.

**Sec. 36. Brigades.** Whenever the national guard is organized, by order of the commander-in-chief, into a brigade, a brigadier general shall be selected as prescribed in section fifty-three, to command the same.

**Sec. 37. New organizations.** New organizations may be raised on petition to the governor, or by his order; and when the minimum number of persons required by law has been enlisted and notice thereof given to the governor, he may issue an order for the election of the commissioned officers; but whenever the governor shall have the authority to appoint officers of the line, he may raise new organizations and appoint the officers thereof whenever and in such manner as he may deem best for the service.

**Staff Departments.**

**Sec. 38. Enumeration.** There shall be the following departments consisting of officers and enlisted men of number and rank specified necessary for the maintenance of the administrative staff of the national guard, namely: Adjutant general's department, one major; inspector general's department, one major; judge advocate general's department, one major; quartermaster corps, one major, two captains, five sergeants first class, five sergeants, ten privates first class, and privates, two cooks; ordnance department, one major, two sergeants, three privates first class; medical department, one major, one first lieutenant or captain, one sergeant, four privates and privates first class.

**Sec. 39. Medical department, composition.** The medical department of the national guard shall consist of a medical corps, a medical reserve corps, a dental corps and an enlisted force. The medical corps shall consist of the officers necessary for the administrative staff, for service with the regiments, separate battalions and coast artillery corps of the national guard, and for the organization of such ambulance companies, field hospitals, and supply depots, as may be authorized or required as the proper complement for the national guard by the orders of the war department, or by the laws and regulations of the United States governing the national guard; and such officers shall have the same titles as those of corresponding grades in the United States army, and shall be of the same grades and numbers as are authorized or prescribed by the laws and regulations of the United States for service with the corresponding organizations of the regular army, or as authorized or prescribed by the said laws and regulations or orders of the war department for the government of the national guard.

**Sec. 40. Medical reserve corps; rank and duties.** For the purpose of securing competent medical practitioners to conduct the physical examination of applicants for enlistment and to render medical service to any organization when so ordered by the commander-in-chief, the governor is authorized to issue commissions as first lieutenants of the medical reserve corps to such active licensed practitioners of medicine and surgery in this state as shall be favorably recommended by the senior officer of the medical corps, not to exceed one for each company or other organization so situated that the services of an officer of the medical corps cannot be effectively available. Such officers are not entitled to retirement, but the commissions so given shall confer upon the holders all the authority, rights and privileges of commissioned officers of like grade in the medical corps of the national guard, except promotions, but only when engaged in active duty in examining recruits or under orders from the commander-in-chief. They shall have rank in said corps according to the date of their commissions therein, and when employed on active duty shall rank next below all officers of like grade in the active militia; provided, that any officer of the medical reserve corps who fails to perform his duty as herein described shall forfeit his commission and not be eligible to re-appointment.

Officers of the medical reserve corps when called into or engaged in active duty shall be subject to all the laws, regulations, and orders for the govern-

ment of the national guard; and for conducting the physical examination of applicants for enlistment shall be entitled to such compensation as the governor in regulations may prescribe, and for all other services to the pay of first lieutenants of the medical corps.

**Sec. 41. Dental surgeons; qualifications, rank, etc.** The governor is authorized to appoint dental surgeons who are citizens of the United States between the ages of twenty-one and twenty-seven years at the rate of one for each one thousand enlisted men of the national guard. Dental surgeons shall have the rank and pay of first lieutenants until they shall have completed eight years' service. Dental surgeons of more than eight but less than twenty-four years' service shall, subject to such examination as may be prescribed, have the rank and pay of captain.

**Sec. 42. Enlisted force medical department.** The enlisted force of the medical department shall consist of master hospital sergeants, hospital sergeants, sergeants first class, sergeants, corporals, cooks, horse shoers, saddlers, farriers, mechanics, privates first class and privates, required for service with the several organizations of the national guard, ambulance company, or field hospital; and such non-commissioned officers and privates shall be of the same grades and numbers as are authorized or prescribed for service with the corresponding organizations of the regular army or as authorized or prescribed by the orders of the war department, or laws and regulations of the United States for the government of the national guard.

Enlistments in the medical department and the appointment of non-commissioned officers therein shall be as prescribed in regulations promulgated by the secretary of war.

**Sec. 43. Chaplains.** The governor is authorized to appoint chaplains in the national guard at the rate of not to exceed one for each regiment with the rank, pay and allowances authorized by law and regulations of the war department for chaplains in the regular army.

**Sec. 44. Civilian cooks.** The commander-in-chief may authorize the employment of cooks to the number fixed in this chapter in organizations in which there are vacancies in enlisted cooks when such organizations are on duty under his orders or are called upon in aid of the civil authorities. The commander-in-chief may authorize the employment and prescribe the number of cooks for all headquarters and organizations for which the enlistment of cooks is not authorized by this chapter. Cooks during such employment shall be subject to the laws and regulations for the government of the national guard and shall receive the same pay as enlisted cooks.

### Naval Militia.

**Sec. 45. Composition.** The organizations forming the naval militia at this date, such others as may be organized hereafter and such persons as may be enlisted or as may be appointed or commissioned therein, shall constitute the naval militia of this state.

**Sec. 46. Organization by commander-in-chief; drill, discipline, etc.** The commander-in-chief may organize the forces prescribed in the preceding

**CHAP. 259**

section as he may deem proper; and when in his judgment the efficiency of the naval militia will be increased thereby, or whenever public interest may demand it, he may alter, reorganize, or disband any or all of the organizations therein; and he shall have power at any time to change the organization of the naval militia so as to conform to any organization, system of drill or instruction which may be adopted for the navy of the United States, and to increase and decrease for that purpose the number of officers, warrant officers, chief petty officers, petty officers and enlisted men and to change their grades, titles, and designations.

The system of administration, drill and instruction of the naval militia shall conform, as nearly as practicable, to that of the navy of the United States; and the discipline and government thereof when not otherwise prescribed shall be according to the laws and regulations now or hereafter governing the national guard. No part of the naval militia shall be attached to any organization of the national guard except when especially ordered by the governor, in which case the senior officer present shall command the whole, unless the commander-in-chief shall direct otherwise.

**Sec. 47. Compensation.** The pay of officers and petty officers of the naval militia shall be the same as that of officers and non-commissioned officers of the same relative rank in the national guard; and seamen shall receive the pay of privates of infantry. The commanding officer of a battalion shall be allowed a sum not exceeding fifty dollars per annum for the care and responsibility of such state and United States property as he may be accountable for; each division commander shall be allowed a sum not exceeding fifty dollars per annum for the care and responsibility of public property for which he is accountable; the executive officer of a battalion, each division clerk and the third class yeoman of each division shall receive for their services a sum not exceeding twenty-five dollars per annum.

**Sec. 48. Authority of officers.** Commissioned officers of the naval militia shall have the same authority, rights, privileges, and qualifications, grade for grade, as commissioned officers of the national guard, and, if not otherwise prescribed, shall be elected or appointed in the same manner; but the board of examination, in the case of the election or appointment of an officer of the naval militia shall consist of at least one commissioned officer of the naval militia, active or retired. The commanding officer of a battalion shall be elected by the division commanders, and the election of division commanders shall be as prescribed for the election of company officers of the national guard; but whenever the governor shall have authority to appoint commissioned officers of the national guard he shall have the power to appoint commissioned officers of the naval militia in like manner.

**Commissioned Officers.**

**Sec. 49. Form of oath.** Persons hereafter commissioned as officers of the national guard shall be selected from the following classes:

Officers or enlisted men of the national guard, officers of the reserve or unassigned list of the national guard, officers active or retired and former officers of the United States army, navy and marine corps, graduates of the

## CHAP. 259

United States military and naval academies and graduates of schools, colleges and universities where military science is taught under the supervision of an officer of the regular army and for the technical branches and staff corps or departments, such other civilians as may be especially qualified for duty therein, shall take and subscribe to the following oath of office:

"I, \_\_\_\_\_, do solemnly swear that I will support and defend the constitution of the United States and the constitution of the State of Maine, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will obey the orders of the President of the United States and of the governor of the State of Maine; that I make this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office of \_\_\_\_\_ in the national guard of the United States and of the State of Maine upon which I am about to enter, so help me God."

**Sec. 50. Examination.** No person shall be commissioned as an officer of the national guard unless he first shall have successfully passed such tests as to his physical, moral, and professional fitness as the president shall prescribe. The examination to determine such qualifications for commission shall be conducted by a board of three commissioned officers appointed by the secretary of war from the regular army or the national guard, or both.

**Sec. 51. Qualifications.** Commissioned officers must be citizens of the United States and twenty-one years of age or over. No person who has been expelled or dishonorably discharged from any military or naval organization of this or any other state or of the United States shall be commissioned, and no person shall be commissioned unless he shall possess the additional requirements prescribed in this chapter for the particular office to which he is to be commissioned; provided that in time of war, insurrection, invasion, rebellion, or imminent danger thereof, the governor shall have the power to fill any vacancy in any field grade by the appointment thereto of any officer on the active list of the army, navy or marine corps of the United States.

**Sec. 52. Rank and precedence.** Rank and precedence of officers and non-commissioned officers of the national guard of this state, the relative rank between officers thereof and of the naval militia, the power of command and the commands appropriate to each grade, shall be as determined by the laws and regulations for the government of the regular army and navy of the United States.

### Election and Appointment of Commissioned Officers.

**Sec. 53. Manner of elections and appointments; vacancies, etc.** General, field, and company officers, of the line, shall be elected as follows: Brigadier generals by the written votes of the field officers of their respective brigades; field officers by the written votes of the captains and subalterns of the respective regiments or corps; captains and subalterns by the written votes of the members of their respective companies; subject to the age limit

**CHAP. 250**

prescribed in section two, this act. Provided, that if section one, article seven, of the constitution of the state shall be hereafter amended in such manner as to permit the legislature to prescribe the mode of selecting officers for the grades herein specified, then, on and after the first day of July next succeeding the adoption of such amendment, the said officer shall be promoted and appointed by the governor as follows and the elective system prescribed in this chapter shall cease to exist, otherwise to remain in full force and effect: Vacancies in the grade of brigadier general shall be filled by promoting the senior colonel; vacancies in the field grades of a regiment or corps by promoting the senior officer of the regiment or corps, of the next lower grade; vacancies in the grade of captain or lieutenant by promoting the senior officer of the company, of the next lower grade; subject in each case to examination as provided in section fifty. Vacancies in the grade of second lieutenant shall be filled in the following manner: All enlisted men of the company, and any battalion and regimental non-commissioned staff officer who was appointed from said company, shall, if physically sound, be eligible for appointment, and shall be permitted to appear before an examining board, for a physical and a competitive practical and theoretical examination; the enlisted men whom the board considers, after the competitive examination, to be the best qualified shall be appointed to fill the vacancy. The governor shall prescribe regulations as to the scope and the manner of conducting such examination, and if no such enlisted man appears, or if none satisfactorily passes said examination, then the governor shall fill the vacancy by making an appointment.

**Sec. 54. Call to be issued by adjutant general; presiding officer, canvass, etc.** The adjutant general shall issue orders for all elections, shall detail a suitable officer other than a candidate to preside thereat, and shall give or cause to be given by commissioned officers notification to all qualified voters when, where and for what office the election is to be held, by written or printed notice given in hand, sent by mail, or left at the last and usual place of abode at least four days before the date of the election. The officer or officers serving such notice shall make a certified written return of the persons notified and of the manner of service, and present the same to the presiding officer before the polls are open. At the time fixed for the election the officer ordered to preside thereat, or in his absence a qualified officer authorized by him to act for him, or in the absence of such officer the commissioned officer highest in rank of those present not being a candidate, shall require the return of the service of notice, the roster of the brigade, regiment, or company from the legal custodian and shall then open the polls. A majority of the votes of all persons present voting at an election shall be necessary for a choice, but in no case shall an election be held unless a majority of the qualified electors are present. The presiding officer shall be the judge of the election, shall canvass the result, forthwith notify in writing the successful candidate of his election, and report the proceedings in writing to the adjutant general.

**Election may be adjourned.** If it shall appear at any election that legal notice has not been given in the manner aforesaid to all persons entitled to vote, the presiding officer shall adjourn the meeting, cause such notice to



be given, set another date for an election not less than seven days later, and notify the adjutant general; but the presence of a person entitled to vote shall be a waiver of his right to legal notice.

**Failure to elect.** If the electors neglect, refuse, or, after the election shall have been in progress for three hours, fail to elect, then this fact shall be certified by the presiding officer to the adjutant general, and the governor shall promote or appoint an officer in accordance with the preceding section, and if any person so elected or appointed neglect, refuse, or fail without cause to appear, when notified, for examination, or fail to pass the examination, a new election shall be held or appointment made.

**Failure to accept.** Every officer duly commissioned shall within ten days accept the same and take the constitutional oath of office; such oath may be taken and subscribed before any officer authorized by law to administer an oath; and in case of neglect or refusal to accept the commission or to take and subscribe the oath within the time mentioned, such commission shall be cancelled by the governor, and a new election ordered or appointment made to fill the vacancy.

**Sec. 55. Vacancies.** Vacancies occurring in the various grades, excepting the lowest of the several staff departments and corps, shall be filled by promoting and appointing the senior officer in the next lower grade of said department or corps. Vacancies occurring in the lowest grades thereof shall be filled in the following manner:

**Governor to fill vacancies in medical department.** In the medical department appointments shall be made by the governor upon the recommendation of a board of examination consisting of three officers of the medical corps. Such boards of examination shall be convened by general orders from the adjutant general's office, which orders shall indicate the number of vacancies to be filled, and any active licensed practitioner of medicine and surgery in this state and who is physically sound shall be permitted to appear for examination.

Provided, further, that persons hereafter commissioned in the medical corps shall be citizens of the United States between the ages of twenty-two and thirty years and shall be promoted to the grade of captain upon the completion of five years' service in the medical corps and upon passing the examinations prescribed by the President for promotion to the grade of captain in the medical corps.

**Vacancies in staff department.** In all other staff departments and corps any vacancy shall be filled by the appointment thereto of any commissioned officer in the national guard.

**Brigades, regiments and separate battalions; appointment of staff officers.** Commanding officers of brigades, regiments and separate battalions shall appoint their respective staff officers subject to the provisions of sections forty-nine, fifty and fifty-one of this act.

**Battalion staff officers.** Battalion staff officers are appointed by the regimental commanders upon the recommendation of the battalion commander.

**Sec. 56. Examination for second lieutenant prescribed by governor.** The governor may prescribe a system of examination to determine the

**CHAP. 259**

enlisted men best qualified for appointment to the grade of second lieutenant as prescribed in section fifty-three, and the best qualified applicant for appointment to the lowest grade in the medical corps as prescribed in section fifty-five.

**Sec. 57. Examination of all officers of militia prescribed by president.** The President shall prescribe a system of examination of all officers of the militia to determine their physical, moral, professional and general fitness for promotion or for appointment, such examination to be conducted, if practicable, prior to the accruing of the right to promotion or to the issuing of the commission as may be best for the interest of the service; provided that if any officer fails to pass a satisfactory examination and is reported unfit for promotion or appointment, the officer next below him in rank or standing next in line of promotion, having passed said examination, shall receive the promotion, or if the office is elective the governor shall order another election; and provided that should the officer be found incapacitated for service by reason of physical disability he shall be retired with the rank to which his seniority entitled him to be promoted and should he fail for any other reason, other than moral fitness, he shall be suspended from promotion or appointment to any office in the militia for one year, and should he fail the second time to pass such examination he shall be honorably discharged, but should he be found lacking in moral fitness, he shall, if the governor approve of such finding, be discharged for the good of the service. Provided that no candidate will be examined, whose examination has not been authorized by the secretary of war; who is not a citizen of the United States or has not declared his intention of becoming such; who, in the judgment of the board, is not physically qualified to discharge all the duties of an officer in active service; who has any mental infirmity; whose moral fitness has not been clearly established; who is less than twenty-one years of age or who being designated for commission other than by promotion, as second lieutenant, shall be more than thirty; as first lieutenant more than thirty-five; as captain, more than forty; as major, more than forty-five; as lieutenant colonel, more than fifty; as colonel, more than fifty-five; or as a general officer more than sixty years old.

**Sec. 58. Brevet commission conferred by governor.** The governor may, upon the recommendation of his commanding officer, confer a brevet commission of a grade next higher than that actually held by the officer so recommended, upon any officer of the national guard or naval militia in active service, for distinguished gallantry. Such commissions shall carry with them only such privileges or rights as are allowed in like cases in the military and naval service of the United States.

**Sec. 59. Officers may be discharged for inefficiency.** At any time the moral character, capacity, and general fitness for the service of any national guard officer may be determined by an efficiency board of three commissioned officers, senior in rank to the officer whose fitness for service shall be under investigation, and if the findings of such board be unfavorable to such officer and be approved by the official authorized to appoint

such an officer, he shall be discharged. Commissions of officers of the national guard may be vacated upon resignation, absence without leave for three months, upon the recommendation of an efficiency board, or pursuant to sentence of a court-martial. Officers of said guard rendered surplus by the disbandment of their organizations shall be placed in the national guard reserve. Officers may, upon their own application, be placed in the said reserve.

**Sec. 60. Retirement of officers.** Any officer who shall reach the age prescribed in section sixty-one shall be retired. Any officer who shall fail in a second examination as prescribed in section fifty-seven, accepts an appointment in the army, navy or marine corps of the United States, or who tenders his resignation and the same having been accepted, shall receive an honorable discharge, provided he shall not be under arrest or returned to a military court for any deficiency or delinquency and provided he be not indebted to the state in any manner and that all his accounts for money and public property be correct.

**Sec. 61. Withdrawal of officer from service.** Any officer who is sixty-four years old, or who is found incapacitated for service by reason of physical disability under the provisions of section fifty-seven, shall be withdrawn from active service and placed on the retired list, with the highest rank held by him during service, provided that if at the time of his retirement he shall have served as a commissioned officer in the national guard for a continuous period of fifteen years he may be retired with one grade higher rank than that held at the time of his retirement.

Retired officers shall be entitled to wear the uniform of the rank with which they were retired; they shall continue to be borne on the national guard register, shall be subject to military law, and may, in the discretion of the governor, be assigned to active duty.

**Sec. 62. Removal without consent; officer entitled to hearing.** No commissioned officer in the national guard or naval militia shall be removed from office without his consent, except by sentence of a general court-martial or as provided in this chapter.

#### **Enlistment In National Guard.**

**Sec. 63. Term of service.** Hereafter the period of enlistment in the national guard shall be for six years, the first three years of which shall be in an active organization and the remaining three years in the national guard reserve, hereinafter provided for, and the qualifications for enlistment shall be the same as those prescribed for admission to the regular army; provided, that in the national guard the privilege of continuing in active service during the whole of an enlistment period and of re-enlisting in said service shall not be denied by reason of anything contained in this act.

**Sec. 64. Oath of allegiance.** Every person who enlists or re-enlists shall sign and make oath to an enlistment contract which shall contain the following oath of allegiance to the state and the United States:

## CHAP. 259

"I do hereby acknowledge to have voluntarily enlisted this day of \_\_\_\_\_, 19\_\_\_\_, as a soldier in the national guard of the United States and of the State of Maine, for the period of three years in service and three years in the reserve, under the conditions prescribed by law, unless sooner discharged by proper authority. And I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Maine, and that I will serve them honestly and faithfully against all their enemies whomsoever, and that I will obey the orders of the President of the United States and of the Governor of the State of Maine, and of the officers appointed over me according to law and the rules and articles of war."

Such oath shall be taken and subscribed to before a commissioned officer of the national guard and all such commissioned officers are hereby authorized to administer such oaths when designated by the commanding officer of the company or other organization or by other proper military superior, to make and complete valid enlistments in the national guard. A person making a false oath as to any statement contained in such enlistment paper shall upon conviction be deemed guilty of perjury.

**Sec. 65. Qualifications.** Any male citizen of the United States and of the State of Maine or person who has legally declared his intention to become a citizen, if above the age of eighteen and under the age of forty-five years, able bodied, free from disease, of good character and temperate habits, who is not exempt by law, may be accepted for enlistment in the national guard, with the exceptions hereinafter stated. The restrictions as to maximum age shall not apply to soldiers who have served honorably and faithfully a previous enlistment in the regular army, organized militia or national guard.

**Sec. 66. Exceptions.** The enlistment in the national guard of persons of any of the following classes is prohibited: Insane or intoxicated persons, deserters from the military or naval service of the United States, persons who have been convicted of a felony or who have been imprisoned under sentence of a court in a reformatory, jail or penitentiary, persons who cannot speak, read and write the English language and former soldiers of the regular army or national guard whose service during the last preceding term of enlistment has not been honest and faithful.

**Sec. 67. Further exceptions.** The following classes of persons are also prohibited from enlisting in the national guard: Persons drawing a military pension from the United States or from any state, members of the regular army reserve, the officers' reserve corps, the reserve officers' training corps and the enlisted reserve corps.

The enlistment of a minor under the age of eighteen years with or without parental consent is prohibited. Should a minor under the age of eighteen enlist by falsely representing himself to be over that age, he will render himself liable to punishment for fraudulent enlistment. Parental consent is not necessary for the enlistment of a minor whose age is eighteen years or over and such consent will not be recognized or accepted.

## CHAP. 259

**Sec. 68. Re-enlistment of persons forty-five years of age and over.** No man of forty-five years of age or over shall be re-enlisted unless he has served the full period of his last preceding enlistment, has the permission of the commanding officer of the organization in which he desires to enlist, and of the adjutant general and has passed the physical examination prescribed by regulations.

**Sec. 69. Transfers.** The commander-in-chief shall have the power to make and cause to be made such transfers of officers and enlisted men within a regiment, corps, or separate organization, between regiments, corps, or separate organizations, and between the lines and the medical department, as may be for the best interests of the service, and to provide regulations therefor.

**Sec. 70. Non-commissioned and petty officers.** General, regimental and battalion non-commissioned staff officers, and non-commissioned officers of companies and bands, shall be appointed, promoted, reduced, and warranted in accordance with, and their duties defined by, the regulations under this chapter, which shall be the same, so far as may be, as the corresponding regulations governing the regular army. Chief petty officers and petty officers of the naval militia shall be appointed, promoted, reduced, and warranted in such manner as the commander-in-chief may prescribe.

**Sec. 71. Procedure when enlisted man removes from vicinity of armory.** Any enlisted man, who shall remove his residence to such distance from the armory of his organization as to render it impossible for him to perform his duties properly shall be transferred to another organization, furloughed to the reserve, dropped as a deserter or discharged, as shall be prescribed in regulations from the war department.

**Sec. 72. Physical examination.** The physical examination of all applicants for enlistment or re-enlistment will be conducted by an officer of the medical corps, active or reserve, of the national guard designated by the governor, and will be in accordance with the authorized rules and regulations for examining recruits for the regular army.

**Sec. 73. Discharge.** No enlisted man shall be discharged from the service of the national guard without a certificate of discharge in such form and with such classification as is or shall be prescribed for the regular army and in time of peace an enlisted man will not be discharged before the expiration of his period of enlistment except as prescribed by regulations of the war department for the government of the national guard.

### National Guard Reserve.

**Sec. 74. Organization.** Subject to such rules and regulations as the president may prescribe, a national guard reserve shall be organized and shall consist of such officers and enlisted men as have been transferred and furloughed respectively from the active organizations of the national guard.

**CHAP. 259**

Except in time of war the national guard reserve shall not be organized into tactical or other units except for temporary purposes during field or coast defense training, and enlistments will not be made for the national guard reserve.

**Sec. 75. Privileges.** Officers and enlisted men of the national guard reserve may upon their own request be authorized to attend the armory instruction of active organizations and upon approval of the secretary of war may attend camps with active organizations of the national guard for not to exceed fifteen days each year for field or coast defense training, but when so engaged they shall not be counted as forming any part of the minimum strength required by the war department for the attendance of active organizations.

**Sec. 76. Duties and compensation.** Officers and enlisted men of the national guard reserve when engaged in field or coast defense training with active organizations will be attached thereto or organized into provisional units as reservists. When engaged in field or coast defense training with active organizations, officers and enlisted men of the reserve while so engaged shall receive the same pay and allowances as officers and enlisted men of like grade of the active list of the national guard.

**Sec. 77. Certificate of merit.** Hereafter when any enlisted man of the national guard shall have distinguished himself in the service for gallantry or for long and meritorious service in the national guard or naval militia for a continuous period of fifteen years or for a period of twenty years not necessarily continuous, the governor may upon the recommendation of the commanding officer of the regiment or the senior officer of the organization to which such enlisted man belongs, grant him a certificate of merit; and a holder of such certificate shall be borne on the military register of the state for the remainder of his life; provided that meritorious service hereafter in time of actual war, insurrection or rebellion, shall count double toward procuring such certificate.

**Sec. 78. United States army regulations to govern.** Matters of military courtesy and discipline; precedence of regiments and corps; details and working parties; special duty; official designation and duties of officers; records; flags, colors and standards; instruction and administration of regiments, battalions and companies; interior economy of companies; rosters, detachments and daily service; honors, courtesies and ceremonies; guards; practical and theoretical instruction; care, accountability and responsibility for public property; surveys of property; staff administration and general duties of the staff corps; military correspondence; orders; muster rolls; return of troops and battle reports; arrest and confinement; and field service, shall, in general and so far as practicable and consistent with this chapter, be as now or hereafter prescribed in the regulations for the armies of the United States.

**Sec. 79. Special inspection.** The commander-in-chief may in his discretion at such times and under such regulations as he may prescribe order each colonel commanding a regiment or corps, or, in case of his disability or when designated by him, the lieutenant colonel, and each major com-

## CHAP. 259

manding a battalion, to parade, inspect and report upon the general military efficiency of the several companies under his command at least once each year; and the commander-in-chief may, whenever he deems it necessary, order an inspection by a medical officer of the officers and men, armories, clothes and equipment of the national guard or naval militia.

**Sec. 80. Instruction and training.** The commander-in-chief shall prescribe for the officers and men of the regiments, corps and staff departments of the national guard and for the officers and men of the naval militia a course of theoretical and practical instruction, and shall organize such schools, designate such instructors, and make such regulations, as may be required to accomplish such instruction.

He shall have the power to order each company, troop, battery and detachment in the national guard to assemble for drill and instruction, including indoor target practice and in addition thereto to participate in encampments, maneuvers and other exercises, including outdoor target practice, as shall be prescribed by laws and regulations of the war department. No parade or drill shall be ordered on any day during which any election shall be held, except in cases of riot, invasion or insurrection, or imminent danger thereof, or of public danger resulting from flood, conflagration or tempest.

**Sec. 81. Aid of civil authorities.** In case of a tumult, riot, mob or body of men acting together by force with intent to commit felony or to offer violence to persons or property, or by force and violence to break and resist the laws of the state or the United States, or of imminent danger thereof, a justice of the supreme judicial court in term time or vacation or the sheriff of a county, may call for aid upon a commanding officer of the national guard or naval militia, and such call shall be in writing. The commanding officer upon whom the call is made shall order out in aid of the civil authorities the military or naval force or any part thereof under his command, and shall make an immediate report of the case to the adjutant general and to his immediate commanding officer. He shall receive only general directions from the civil authority requesting the aid, and shall remain strictly responsible to his military superior for the manner in which the troops shall be used to accomplish the desired end.

**Sec. 82. Senior officers may order out forces under his command.** In the event of public danger resulting from flood, conflagration, or tempest the senior officer of a command may, upon request of the mayor of a city or the selectmen of a town, order out for the defense or protection of the community the forces under his command, or any part thereof, and immediately report his action and the circumstances of the case to the adjutant general and to his immediate commanding officer.

**Sec. 83. Certain places may be closed when national guard on duty.** Whenever any part of the national guard is on active duty, pursuant to the order of the governor or call of civil authority, to aid in the enforcement of the laws, the commanding officer of such troops may order the closing of any place where intoxicating liquors, arms, ammunition, dynamite or other explosives are sold, and forbid the selling, bartering, lending, or

**CHAP. 259**

giving away any of said articles so long as any of the troops remain on duty in such places, or in the vicinity thereof, whether any civil officer has forbidden the same or not.

**Sec. 84. Notices for duty.** Notices for duty at encampments, maneuvers and field instruction shall be given at least ten days prior thereto, and for other duty at such time as the officer issuing the order shall prescribe. Such notices shall be given orally or by written or printed notice in hand, sent by mail or left at the last and usual place of abode, provided that the posting of the copy of an order in a conspicuous place in the drill or business room of the company, at a regular meeting held not less than four days before the time fixed in such order for the performance of any duty shall be sufficient notice to all members of the company present at such meeting; and provided that when the days upon which the stated drills provided by law, orders, or regulations are to be held have been fixed, no further notice thereof shall be required to the members of the company.

**Sec. 85. Prizes for marksmanship.** To encourage marksmanship the governor is authorized to offer annually a state decoration to those who shall excel in small arms practice, and prizes for competition among the organizations and corps of the national guard and naval militia armed with rifle and carbine. He may also in his discretion provide suitable decorations and prizes for proficiency in practice with light and heavy guns. All such prizes shall be competed for under regulations prescribed by the senior ordnance officer, approved by the adjutant general. Members of any staff, corps or department assigned to duty with any command shall be considered a part of such command for the purposes of the competition herein authorized.

**Sec. 86. Medal for honorable service.** Every officer and soldier who has rendered honorable service for nine years in the national guard of the state shall receive a service medal therefor and an additional bar or clasp for each additional three years' service.

**Sec. 87. Medal for perfect attendance.** Every officer or enlisted man of a company or sanitary detachment, who has a perfect record of attendance at every military duty for one year, shall receive a suitable medal therefor, and a bar or clasp for each additional year of perfect attendance, either continuous or otherwise.

**Sec. 88. Pay and allowance.** Each officer and enlisted man ordered for duty by the commander-in-chief, or under his authority, shall receive for every day actually on duty, the following pay: All officers of staff departments and corps, irrespective of rank, five dollars; brigadier general, six dollars; colonel, five dollars; lieutenant colonel, four dollars and fifty cents; major, four dollars; captain, three dollars and fifty cents; first lieutenant, three dollars; second lieutenant, two dollars and fifty cents; master electrician, engineer, sergeant first class, medical department, regimental sergeant major, supply sergeant, sergeant major senior grade, ordnance sergeant, electrician sergeant first class, sergeant first class Q. M. corps, first sergeant, two dollars; battalion sergeant major, sergeant major junior



grade, master gunner, sergeant bugler, one dollar and ninety cents; sergeant Q. M. corps and medical department, color sergeant, electrician sergeant second class, one dollar and eighty-five cents; sergeant, stable sergeant, supply sergeant, mess sergeant, cook, horseshoer, fireman, one dollar and seventy-five cents; mechanic (coast artillery), one dollar and sixty cents; corporal, saddler, mechanic (infantry), farrier, wagoner, one dollar and fifty cents; private first class, one dollar and forty cents; private, medical department, one dollar and thirty cents; private, bugler, one dollar and twenty-five cents; all band musicians, three dollars; and in addition thereto, there shall be allowed the necessary transportation and subsistence; provided that no pay or compensation shall be allowed when ordered for inspection or muster, small arms practice, drill, parade, review, field service, or practice marches, unless expressly authorized in the order for such duties, and provided further, that when ordered for encampments, maneuvers, field exercise or small arms competitions, or when called forth in aid of the civil authority, commissioned officers and enlisted men shall receive the same pay as officers and enlisted men of the same grade in the regular army.

When the national guard, or any portion thereof, shall be called forth in aid of the civil authority, or assembled in obedience to such calls, as provided for in sections eighty-one and eighty-two, all officers and men thereof shall receive the pay set forth in this section; and such compensation and the necessary expenses incurred in quartering, caring for, transporting, and subsisting the troops as well as the expense incurred for pay, care and subsistence of officers and enlisted men temporarily disabled in the line of duty, while on such duty, shall be paid by the county where such service is rendered. The treasurer of such county shall, upon presentation to him of vouchers and pay rolls for such expenses and compensation, certified by the commanding officer of the organization or corps on duty in aid of the civil authority in such county or counties, and approved by the adjutant general, forthwith execute in behalf of and in the name of such county a certificate or certificates of indebtedness for the money required to pay such vouchers and pay rolls; such certificates shall bear interest at the rate of not to exceed six per centum per annum, and shall be made payable on the first day of January following the expiration of two months from their issue, and the amount thereof shall be raised in the next tax budget of said county succeeding their issue, and applied to the payment of such certificates. Said county treasurer shall sell such certificates at public and private sale, and apply the proceeds thereof to the payment of such expenses and compensation. Any county treasurer or public officer, who shall neglect or refuse to perform any of the duties required by this section, shall be personally charged with the costs and all necessary disbursements of any action or proceeding brought to compel such performance, together with a reasonable additional allowance to the plaintiff or relator in such action or proceeding, to be fixed.

**Sec. 89. Special allowances.** In addition to all other pay and allowances herein provided there shall be allowed each company commander or other officer who in the opinion of the adjutant general is entitled to remuneration for care and responsibility of military property, not exceed-

## CHAP. 259

ing fifty dollars per annum; each company clerk, and each company quartermaster sergeant, not exceeding twenty-five dollars per annum.

To all officers ordered to make inspection or other journeys necessary in the military service, there shall be allowed all actual and necessary expense incident to the performance of said service, including such incidental expenditures as are allowed by law and regulations to officers of the regular army when inspecting the organized militia.

Whenever deemed necessary, the adjutant general may authorize the commutation of rations for enlisted men, which shall be at the rate fixed by the regulations of the United States Army in force at the time.

The adjutant general whenever necessary, and in such manner as he may deem best, shall provide suitable mounts for all officers and enlisted men required to perform mounted duty. He shall also approve all other just and reasonable claims, payments, and expenditures, legally made in behalf of the military service of the state.

**Sec. 90. Approval and payment of military accounts.** All military accounts, unless otherwise specially provided by law, shall be approved by the person authorized to contract the same and transmitted to the adjutant general for his examination and approval. They shall then be presented to the state auditor, and if found correct shall be certified to the paymaster general for payment, and a warrant shall be drawn for the amount thereof on the state treasurer in favor of the paymaster general; accounts so allowed shall be paid by him to the persons to whom they are severally due, or to their order; provided that no payment whatever shall be made or allowed except for duty actually performed or services actually rendered; and provided that no payment of any sum authorized by this chapter shall be made to any person until there shall have been first deducted therefrom all amounts due by him to the state on any military account whatsoever; and provided further that whenever the governor shall deem it necessary he may draw his warrant on the state treasurer in favor of the paymaster general for such sums from the military fund or the appropriation for the support of the naval militia as may be required to meet immediate payments for current expenditures, such funds to be accounted for separately on a monthly account current to be filed with the state auditor and any unused balance to be covered into the state treasury whenever directed by the governor.

**Sec. 91. The military fund.** For the purpose of raising revenue to defray the current expenses of the national guard and naval militia there shall be appropriated annually from any money in the treasury not otherwise appropriated the sum of forty-five thousand dollars, of which sum at least five thousand dollars or so much thereof as may be necessary shall be appropriated by the paymaster general for the support of the naval militia. The revenue thus raised shall be paid into the state treasury and be converted into a special and continuous military fund, from which special fund only, except where herein otherwise specified, shall be paid the expenses authorized by this act; and so much thereof as may be necessary is hereby appropriated to carry out the provisions of this article, to be paid upon vouchers approved as provided in section ninety.

**Sec. 92. Claims for disability.** Any member of the national guard or naval militia who shall, when on duty or assembled therefor, in case of riot, tumult, breach of the peace, insurrection or invasion, or whenever called into active service of the state by order of the governor, or called in aid of the civil authorities, or when participating by order of the governor in any encampment, maneuvers, and field instruction of any part of the regular army at or near any military post or camp or lake or sea coast defenses of the United States, or when participating by order of the governor in practice marches or camps of instruction for at least five consecutive days, receive any injury, or incur or contract any disability or disease, by reason of such duty or assembly therefor, or who shall without fault or negligence on his part receive any wound or injury incident to and while performing any lawfully ordered duty, which shall temporarily incapacitate him from his usual business or occupation, shall during the period of such incapacity, receive the pay provided by section eighty-eight, and actual and necessary expenses for care and medical attendance. No claim shall be allowed under this section unless the claimant within thirty days after receiving the injury or contracting the disease or disability upon which the claim is based, notifies in writing the adjutant general of his intention to make such claim. Under this section no disability shall be considered temporary which continues more than ninety days after the date of receiving the injury or of contracting or incurring the disease or disability, and pay for expenses for care and medical attendance for more than the said ninety days shall not be allowed. Where a claim is made under this section, the claimant shall, within thirty days after receiving the injury or contracting the disease or disability upon which the claim is made, or such further time as the adjutant general shall grant, submit to the adjutant general his proof by affidavit or otherwise as the adjutant general may direct. On examination thereof the adjutant general may allow or disallow the whole or any part of said claim, or he may refer the same to a medical examiner or to a board of three officers, at least one being a medical officer, to be appointed by the adjutant general, and such medical examiner or board shall have the same power to take evidence, administer oaths, issue subpoenas and compel witnesses to attend and testify and produce books and papers, and punish their failure to do so, as is possessed by a general court-martial. The finding of the medical examiner or board shall be subject to the approval of the adjutant general, who may approve the whole or any part thereof, or he may return the proceedings for revision or for taking further testimony. The adjutant general may cause an examination of the claimant to be made from time to time by a medical officer or officers, designated for the purpose, and may direct the removal of a claimant to, and his treatment in, any hospital designated by the adjutant general, and if the claimant refuse to permit any examination herein provided for, or if he refuse to go to such hospital, or to follow the advice given or treatment prescribed for him therein, he shall thereby forfeit and be barred from all rights to any claim or allowance under this section.

The amount found due such member by the adjutant general, either on his own investigation or on the report of a medical examiner or board to

**CHAP. 259**

the extent approved by him, shall be a charge against and be paid in the manner provided in section eighty-eight by the county in which such duty was rendered, in every case where a county is by said section made liable to pay for the performance of military duty; and in all other cases such sums shall be a claim against the State of Maine, and the adjutant general shall so certify to the governor and council who will cause their warrant to be drawn for the amount so certified, and the treasurer of the state shall pay said amount to the claimant from any moneys in the treasury not otherwise appropriated.

**Armories and Rifle Ranges.**

**Sec. 93. Drill room and armory to be provided by municipal officers.** It shall be the duty of municipal officers to provide and maintain for each platoon or company of the national guard or naval militia located within the limits of their respective towns a suitable drillroom, offices and armory, or place of deposit of all military property, and for the headquarters of each separate battalion, corps, regiment, and brigade established within said municipal limits suitable headquarters offices; and the suitability for the necessary military purposes, of such drillrooms, armories and headquarters offices, shall be determined by the armory commission. A reasonable compensation shall be fixed by the armory commission, after hearing and consulting with the responsible municipal officers, for each company, other organization, band or separate headquarters and shall be allowed as rent for such suitable building or buildings to the municipality providing and maintaining them, and paid by the state out of the appropriation for armory rental, and to carry out the provisions of this section the sum of twelve thousand, five hundred dollars for the year nineteen hundred and seventeen and thereafter the sum of fifteen thousand dollars annually is hereby appropriated from any money in the treasury not otherwise appropriated, payment to be made by the treasurer of the state upon vouchers manifested by the armory commission to the state auditor.

**Sec. 94. Target ranges.** It shall be the duty of municipal officers to provide for organizations of the national guard located within the limits of their respective towns a suitable target range, except where such range shall be provided out of the funds appropriated by the congress of the United States and apportioned to the state for that purpose; and it shall be the duty of such municipal officers to maintain and keep in good repair such target range for the use of the company or companies located within the limits of their municipality, irrespective of the method in which such range may have been obtained. The suitability of such target range for the necessary military purposes shall be as determined by the senior officer in the ordnance department of the national guard and approved by the adjutant general. All ranges shall be open for the use of members of the national guard at any time, including Sundays, subject to the approval of the adjutant general.

**Sec. 95. Failure of municipal officers to comply; penalty.** Any municipal officer who fails, refuses, or neglects to take effective measures for

providing and maintaining such suitable drill-rooms, offices, armories, or headquarters as prescribed in section ninety-three, and any municipal officer who fails, refuses, or neglects to take effective measures for providing and maintaining a suitable target range as prescribed in section ninety-four, shall be guilty of a misdemeanor, prosecuted by complaint or indictment before a court of competent jurisdiction, and upon conviction shall be fined not less than one hundred dollars nor more than four hundred dollars, or imprisoned for not less than three months nor more than six months, or shall suffer both such fine and imprisonment, which fine shall be paid into the state treasury and credited to the military fund.

**Sec. 96. Municipalities to raise money by taxation.** All municipalities in this state are hereby given power and authority to build or acquire by purchase, lease, gift, or otherwise, suitable armories, drill-rooms, headquarters offices, and the land necessary therefor and for target ranges for such organizations of the national guard and naval militia as may be stationed or located therein, and to provide for the maintenance and repair of the same; and all municipalities are hereby authorized, and it shall be the duty of the officers thereof, to raise money by taxation or otherwise for the purpose of providing suitable armories, drill-rooms, headquarters offices and target ranges for such organizations of the national guard and naval militia as may be stationed and located therein, in such manner as is by law provided for the erection and maintenance of all municipal public buildings and improvements.

**Sec. 97. Exemption from taxation.** All armories, drill-rooms, offices, headquarters offices, and target ranges, owned by the state or by any municipality, or by any organization of the national guard and all buildings and lands leased by the state, or by any municipality, or by an officer or organization of the national guard, to be used as an armory, drill-room, headquarters office, target range, or for other military purposes shall be exempt from taxation for all purposes during the period of such ownership, lease and use.

**Sec. 98. National guard to have exclusive use.** All armories, drill-rooms, offices and headquarters offices, shall be subject always to the provisions of law and the regulations prescribed by proper authority; and said armories, drill-rooms, offices and headquarters offices, shall be held for the exclusive use of the national guard unless otherwise authorized by the general regulations for the government of armories prescribed by the armory commission, or by special authority of the chairman of said commission after application in special cases by the municipal authorities in writing. Should any municipal officer use such buildings without authority, or abuse the authority or privilege so granted, they and each of them shall, in each such case, be deemed guilty of a misdemeanor and shall be punished as prescribed in section ninety-five.

**Sec. 99. Armory commission.** The adjutant general, together with two officers of the line of the national guard of or above the grade of captain and two civilians appointed by the governor for a term of four years unless sooner relieved by proper authority and eligible to reappointment for a like

**CHAP. 259**

period, shall constitute an armory commission of which the adjutant general shall be the chairman, whose duty it shall be to exercise general supervision and control over all armories, drill-rooms, and headquarters officers, to consult and co-operate with the municipal authorities and to devise effective means of obtaining and maintaining such armories, and to fix, subject to the approval of the governor, the compensation to be allowed to the municipalities as rent for them; they shall have the power, after consulting and hearing the responsible municipal officers, to determine the administrative question of military suitability and adequate maintenance of all armories, drill-rooms, offices, and headquarters offices; and it shall be their duty to notify the responsible municipal officers of all deficiencies in these respects, and should such officers fail, refuse or neglect to take effective measures for providing such suitable buildings and their maintenance, the chairman of the commission shall initiate the prosecution prescribed by section ninety-five. For each day actually employed in the transaction of the business of the armory commission military members other than the adjutant general shall receive the pay of their rank as provided in section eighty-eight and civilian members shall receive as compensation the sum of five dollars; and all members shall be reimbursed for actual travelling expenses, such accounts to be paid from the military fund in accordance with the provisions of section ninety.

**Sec. 100. State armories.** The governor is authorized to accept in the name of the state donations of lands and buildings to be used for military purposes by the national guard or naval militia under such conditions as the donors may nominate; lands and buildings so donated shall be subject to the rules and regulations prescribed by the governor; and provided further that when any building is turned over to the state for use as an armory or drill shed the armory commission shall be authorized to approve for payment from the appropriation for armory rentals such sums as may be necessary for the upkeep of such building including repairs, furnishings, light, heat, water and janitor service.

**Sec. 101. Erection of buildings upon donated lands.** Whenever the military fund shall be sufficient to warrant such expenditures, the armory commission may, with the approval and by the direction of the governor, erect upon lands donated to the state for the purpose either by municipalities, corporations or individuals, armories, drill-rooms, headquarters offices or other buildings for military purposes.

**Courts-Martial.**

**Sec. 102. Classes, jurisdiction, etc.** Courts-martial in the national guard shall be of three kinds, namely, general courts-martial, special courts-martial, and summary courts-martial. They shall be constituted, and have cognizance of the same subjects and possess like powers, except as to punishments, as similar courts provided for by the laws and regulations governing the army of the United States, and the proceedings of courts-martial of the national guard shall follow the forms and modes of procedure prescribed for said similar courts.

**Sec. 103. Rules of evidence.** The rules of evidence in all courts-martial shall follow in general, so far as apposite, the common law rules of evidence as observed by the courts of this state in criminal cases, but a certain latitude in the introduction of evidence and the examination of witnesses by an avoidance of restrictive rules is permissible when it is in the interest of the administration of military justice. The accused shall at his own request but not otherwise, be a competent witness; and his failure to make such request shall not create any presumption against him.

**Sec. 104. Warrants and rights of accused.** Presidents of courts-martial and summary court officers shall have power to issue, in the name of the state, warrants directing any sheriff or constable to arrest accused persons and bring them before the court for trial, and the accused shall have the right to demand the nature and cause of the accusation against him, and to be presented with a copy of the charges. He shall have the right of being heard by himself or counsel or both; and shall have compulsory process for obtaining witnesses in his favor.

**Sec. 105. Summoning of witnesses.** Presidents of courts-martial and any summary court officer shall have power to summon the necessary witnesses for the trial of cases and for that purpose shall have power to issue, in the name of the state, all necessary subpoenas and subpoenas deces tecum. They shall have power to issue the like processes to compel witnesses to appear and testify which courts of criminal jurisdiction within this state may lawfully issue. Such writs and processes may be directed to any sheriff or constable whose duty it shall be to serve or execute such writ and process when issued by the civil courts of criminal jurisdiction in this state.

The attendance of witnesses in the military service of the state may be procured by the service of formal subpoena, or by the order of competent military authority; and every person in the military service of the state who being duly subpoenaed or ordered to appear as a witness before the courts-martial wilfully neglects or refuses to appear or refuses to qualify as a witness, or to testify or produce documentary evidence, shall be deemed guilty of disobedience of orders and punished by a court-martial accordingly; and every person not belonging to the military service of the state who being duly subpoenaed to appear as a witness before a court-martial wilfully neglects or refuses to appear or refuses so to qualify, testify or produce documentary evidence, shall be deemed guilty of a misdemeanor and prosecuted like other misdemeanors in any court of competent jurisdiction and punished by a fine not exceeding one hundred dollars; provided that such witness may plead as a defense that he was not tendered one day's fee and mileage for the journey to and from the place of trial; and provided, that all witnesses shall receive the fees prescribed by statute for witnesses in the supreme judicial court, such amounts to be paid by the adjutant general; and provided that no witness shall be compelled to incriminate himself or to answer any question which may tend to incriminate or degrade him.

**Sec. 106. Jurisdiction.** All courts-martial of the national guard including summary courts shall have power to sentence to confinement in

**CHAP. 259**

lieu of fines authorized to be imposed; provided, that such sentence of confinement shall not exceed one day for each dollar of fine and costs authorized.

All processes, warrants and sentences of courts-martial shall be executed by civil officers in this state the same as like precepts of the supreme judicial court are executed in the state and all such processes, warrants and sentences when issued by any courts-martial shall extend to any part of the state.

**Sec. 107. Confinement.** When the sentence of a courts-martial adjudges a fine and costs against any person, and such sentence has been approved as provided in article forty-six, section one hundred and forty of this act, or whenever a person in the military service is ordered confined to await trial or is sentenced to confinement by a court-martial, or whenever any person is ordered into confinement at a place or station not provided with a guard house or military prison, the governor, the court or officer ordering the court, or the officer commanding for the time being, as the case may be, shall issue a warrant of commitment directed to the sheriff of the county in which the court-martial was held, directing him to take the body of the person so convicted and confine him in the county jail; and it shall be the duty of the sheriff to take the body of the person convicted and confine him in the county jail for the time specified in the sentence, or for one day for any fine not exceeding one dollar, and one additional day for every dollar above that sum, and one additional day for each dollar of cost. The costs of arrest and commitment in all courts-martial proceedings shall be the same as is prescribed in revised statutes of this state for such service in the courts of this state and shall be paid by the adjutant general from the military fund on presentation of all papers or copies of papers showing the service thereon; such papers and copies to be certified as correct by the judge advocate or summary court.

**Sec. 108. Discretionary penalty.** Whenever by any of the articles of section one hundred and forty the punishment on conviction of any military offense is left to the discretion of the courts-martial, the punishment shall not exceed, in the case of officers, dismissal from the service; forfeiture of all pay and allowances; a reprimand; a fine of two hundred dollars and cost; and in the case of enlisted men, dishonorable discharge from the service; reduction of non-commissioned officers to the ranks; to forfeiture of six months pay and allowance; a fine of one hundred dollars and costs. Within such maximum limit the governor may prescribe in the case of enlisted men a lesser limit which a court-martial shall not exceed, and if no such limit be prescribed any fine awarded shall not exceed the amount of forfeiture prescribed in the executive order establishing maximum limits of punishment for enlisted men in the regular army.

**Sec. 109. Jurisdiction presumed.** The jurisdiction of the courts and boards established by this act shall be presumed, and the burden of proof shall rest on any person seeking to oust such courts or boards of jurisdiction in any action or proceeding.

No action or proceeding shall be prosecuted or maintained against a member of the military forces of this state or officer or person, acting



## CHAP. 259

under its authority or reviewing its proceedings on account of the approval or imposition or execution of any sentence, or the imposition or collection of any fine or penalty, or the execution of any warrant, writ, execution, process, or mandate of a military court.

**Sec. 110. Oaths, by whom administered.** Officers of the judge advocate general's department, judge advocates of courts-martial, and summary court officers, are hereby authorized to administer oaths for the purpose of military administration, and shall charge no fee for the same.

**Sec. 111. Reports to be made to adjutant general.** Each summary court and the judge advocate of each special court shall, at the end of each month, make a report to the adjutant general of the cases tried, setting forth the offense committed and the penalty awarded, which reports may be destroyed when no longer of use.

**Sec. 112. Applicable to naval militia.** The provisions in regard to courts and boards established by this act shall apply, so far as apposite, to the naval militia.

### Training of National Guard.

**Sec. 113. Time to be devoted to drill, etc.** Each company, troop, battery, and detachment in the national guard shall assemble for drill and instruction, including indoor target practice, not less than forty-eight times each year, and shall, in addition thereto, participate in encampments, maneuvers, or other exercises, including outdoor target practice, at least fifteen days in training each year, including target practice, unless such company, troop, battery, or detachment shall have been excused from participation in any part thereof by the secretary of war; provided, that credit for an assembly for drill or for indoor target practice shall not be given unless the number of officers and enlisted men present for duty at such assembly shall equal or exceed a minimum to be prescribed by the governor, nor unless the period of actual military duty and instruction participated in by each officer and enlisted man at each such assembly at which he shall be credited as having been present shall be of at least one and one-half hours' duration and the character of training such as may be prescribed by the governor or secretary of war.

**Sec. 114. Commanding officers at encampments, etc.** When any part of the national guard participates in encampments, maneuvers, or other exercises, including out-door target practice, for field or coast-defence instruction at a United States military post, or reservation, or elsewhere, if in conjunction with troops of the United States, the command of such military post or reservation and of the officers and troops of the United States on duty there or elsewhere shall remain with the commander of the United States troops without regard to the rank of the commanding or other officer of the national guard temporarily engaged in the encampments, maneuvers, or other exercises.

**Uniforms, Arms and Equipment.**

**Sec. 115. Uniforms.** The uniform, arms and equipment of the national guard shall be the same as those of the regular army and navy of the United States, except that on articles of uniform and equipment the distinguishing letters "Me." may be substituted for the letters "U. S."; each organization of the national guard and every enlisted man thereof shall be uniformed, armed, and equipped, as is or may hereafter be prescribed or provided by the laws and regulations of the United States for the national guard, and no member or organization of the national guard shall adopt, use or wear in the military service of the state any other uniform, arms, or equipment.

**Uniform of commissioned officers.** All commissioned officers shall provide themselves with such uniforms, arms, and equipments as are required of commissioned officers of the regular army and the adjutant general may purchase and issue as state property on memorandum receipt or sell for cash to commissioned officers such articles of arms, uniforms and equipment as he may deem necessary.

**Exemption from attachment.** The clothes, arms, military outfit, and accoutrements furnished by or through the state to a member of the active militia and the uniforms, arms, and equipment required of commissioned officers shall not be subject to any suit, distress, execution, or sale for debt or payment of taxes.

**Sec. 116. Uniform not to be worn by unauthorized persons.** Every person, other than an officer or enlisted man of the national guard of this state, or of any other state, or of the United States army, navy, marine corps, or revenue or forest service, or a member of any service of the United States for whom such uniform has been prescribed by proper authority, or inmate of any veterans' or soldiers' home, or a member of the Grand Army of the Republic, or of the sons of veterans or the boy scouts of America who at any time wears the uniform of the United States army or navy or national guard of this state, or any part of such uniform, or a uniform or a part of a uniform similar thereto, within the limits of this state, shall be guilty of a misdemeanor, and shall upon conviction be punished by a fine not exceeding three hundred dollars, or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment; provided, that nothing in this act shall be construed as prohibiting persons of the theatrical profession from wearing such uniform in any playhouse or theatre actually engaged in following said profession, and provided that nothing in this act shall be construed as prohibiting the uniform rank of civic societies parading or traveling in a body or assembling in a lodge room; and provided further that whenever the national guard or any part thereof is in active service, or is called into active service, no civic organization or member thereof shall parade or appear in uniform in the locality where said national guard is in service.

**Sec. 117. Equipment not to be sold.** The clothes, arms, military outfits, and accoutrements furnished by or through the state to any member of the national guard shall not be sold, bartered, exchanged, pledged, loaned, or given away; and no person not a member of the military forces of this state

or of the United States, or duly authorized officer or agent of the state or of the United States, who has possession of any such clothes, arms, military outfit, or accoutrements, so furnished and which have been the subject of any such unlawful disposition, shall have any right, title, or interest therein; but the same shall be seized and taken wherever found by any officer of the state, civil or military, and shall thereupon be delivered to any commanding officer or other officer authorized to receive the same, who shall make an immediate report to the adjutant general. The possession of any such clothes, arms, military outfits, or accoutrements by any person not a member of the military forces of the state or of the United States shall be presumptive evidence of such sale, barter, exchange, pledge, loan, or gift.

**Sec. 118. Penalty for sale of equipment.** Any person who shall sell, or offer for sale, barter, exchange, pledge, loan, or give away, secrete or retain after demand made by any officer of the state, civil or military, any clothes, arms, military outfits, or accoutrements furnished by or through the state to a member of the national guard, or who shall receive by purchase, barter, exchange, pledge, loan, or gift, any such clothes, arms, military outfits, or accoutrements shall be guilty of a misdemeanor and punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding six months, or by both such fine and imprisonment.

**Sec. 119. Repair of equipment.** The adjutant general shall, whenever it may be necessary, make arrangements for the repair, cleansing, and renovation of all clothes, arms, military outfits, or accoutrements on hand or issued to any organization of the national guard; and when the necessity of such repair, cleansing, or renovation is due to the fault or negligence of any member of the national guard, the cost thereof shall be charged against any pay due or to become due such member or recovered in the same manner as a fine, forfeiture, or penalty, as prescribed by this chapter.

**Sec. 120. Inspection and condemnation.** The inspector general or such other military officer as the adjutant general may designate, shall inspect and condemn public military property which has become unfit for use; no property shall be sold until it has been so inspected and condemned, and such condemnation approved by the governor; and the proceeds of sales of condemned material, stores, supplies, or other public military property of every kind shall be deposited with the adjutant general, paid into the state treasury, and credited to the military fund.

**Sec. 121. State equipment; obsolete patterns may be issued to municipalities.** All property furnished by the state shall remain and continue to be the property of the state, to be used for military purposes only, and when not so in use shall be kept in the armories or designated places of deposit; provided, however, that upon order of the governor and council, the quartermaster general is authorized to issue to the municipal officers of any city or town field ordnance of obsolete pattern under such regulations as the governor and council may prescribe. Every officer receiving public property for military use shall be held responsible for the safe-keeping and the return of the same when called for; he shall account for and make such returns thereof as may be prescribed whenever called upon so to do by the

**CHAP. 259**

governor or other proper authority. Each officer accountable for state or federal property issued to him for use of an organization of the national guard shall be required to give a bond to the adjutant general of the State of Maine in the sum of one thousand dollars, conditioned on the safekeeping and return, when called for, of all such state and federal property in good condition, reasonable wear and tear excepted, and the expenses incurred by entering into such bond shall be paid for from the military fund.

**Sec. 122. Destruction of equipment.** Any officer, enlisted man or other person, who shall wilfully or maliciously destroy, injure or deface any article of military property belonging to the state, or shall use it for other than military purposes, or shall have or retain the same in violation of law or regulations shall be punished by a fine not exceeding fifty dollars. And in case any officer or enlisted man of the national guard who has at any time through carelessness or inattention lost, destroyed or suffered to be lost or destroyed, any state or government property which has been issued for his use, the paymaster general shall retain out of the pay or allowances or moneys due such officer or enlisted man for any military services whatsoever, an amount of money equal to the value of the property so lost or destroyed, and money so retained shall be credited to the account of such officer of the national guard as may be accountable to the state for said property. Such portion of said money as shall be for state property shall be turned in to the treasurer of the state, to be credited to the military fund, and such portion as may be for United States property shall be turned in to the United States treasury to be credited to the state on its property returns.

**General Provisions.**

**Sec. 123. Exemption from arrest.** Every person belonging to the national guard of the state shall in all cases, except felony and breach of the peace, be privileged from arrest while going to, remaining at, or returning from any place at which he may be required to attend for the election of officers or other military duty.

**Sec. 124. Exemption from jury duty.** Every member of the national guard, every retired officer, and every enlisted man holding the certificate of merit shall be exempt from all jury duty; production of a certificate from the claimant's commanding officer showing that the holder is a member of the national guard, or a certificate of retirement, or of a certificate of merit, or the sworn statement of the claimant that he is such member, retired officer, or holder of a certificate of merit, shall be prima facie proof that the claimant is entitled to the exemption.

**Sec. 125. Voluntary service.** No organization of the national guard shall perform any voluntary military service except as authorized by this act or by the express orders of the governor.

**Sec. 126. Permission to leave or enter state.** No organization of the national guard shall leave the state, and no military organization of another state, unless acting under the authority of the United States, shall enter the state, except in each case by permission of the governor.

**Sec. 127. Other military organizations prohibited.** No body of men, other than the national guard and the troops of the United States, shall associate themselves together as a military company or organization, or parade in public with firearms in any city or town of this state; nor shall any city or town raise or appropriate any money toward arming, equipping, uniforming or in any other way supporting, sustaining or providing drillrooms or armories for any such body of men; but associations wholly composed of soldiers and sailors honorably discharged from the service of the United States and the order known as the Sons of Veterans may parade at any time in public with firearms, having first obtained the written permission of the city or municipal officers of the town or city in which they reside to parade, and students in educational institutions where military science is taught as a prescribed part of the course of instruction, may, with the consent of the governor, drill and parade with firearms in public under the superintendence of their military instructors. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and punished by a fine not exceeding ten dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

**Sec. 128. Right of way.** The commanding officer of any portion of the national guard parading or performing any military duty in any street or highway, may require any or all persons in such street or highway, to yield the right of way to such national guard, provided the carriage of the United States mail, the legitimate functions of the police and the progress and operations of the hospital ambulances, fire engines, and fire departments, and apparatus of the insurance patrol shall not be interfered with thereby. All others who shall hinder, delay, or obstruct any portion of the national guard whenever parading or performing any military duty, or who shall attempt so to do, shall be guilty of a misdemeanor.

**Sec. 129. Bounds and limits of camps.** Every commanding officer, when on duty as such, may fix necessary bounds and limits to his camp, or parade, not including a road so as to prevent passing. Whoever intrudes within the limits of the parade, camp or armory, after being forbidden, or resists a sentinel who attempts to put him or keep him out of such limits, or in any manner interrupts or molests the orderly discharge of duty by those under arms, or disturbs, hinders, or prevents the passage of troops going to or returning from any duty, may, at the discretion of the commanding officer, be confined under guard not exceeding twenty-four hours. Such authority of an officer commanding a camp may be extended by order of the commander-in-chief to a distance not exceeding one-half mile around such camp; provided, that the owner or owners of the external space within such distance of the camp, and their agents or servants shall not be hindered or prevented from entering upon such space for the purpose of using, occupying, and improving the same, in the same manner in which they used, occupied, and improved the same at the time when the camp was established. The commanding officer of any camp or armory shall prohibit the introduction or sale of, or dealing in, beer, wine, or any intoxicating liquor, within the limits or extended limits of the camp or within the armory, and he may abate as common nuisances all such sales and introductions.

## CHAP. 259

**Sec. 130. Depriving members of employment.** Any person who, either by himself or with another, wilfully deprives a member of the national guard or naval militia of his employment, or prevents his being employed by himself or another, or obstructs or annoys said member of said national guard or naval militia or his employer in respect to his trade, business, or employment, because said member of said national guard or naval militia is such member, or dissuades any person from enlisting in the said national guard or naval militia by threat of injury to him in case he shall so enlist, in respect to his employment, trade, or business, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

**Sec. 131. Discrimination against members.** No association or corporation, constituted or organized for the purpose of promoting the success of the trade, employment, or business of the members thereof, shall by any constitution, rule, by-law, resolution, vote, or regulation, discriminate against any member of the national guard or naval militia because of such membership, in respect of the eligibility of such member of the national guard or naval militia to membership in such association or corporation, or in respect to his rights to retain said last mentioned membership; and any person who aids in enforcing any such provisions against a member of the said national guard or naval militia with intent to discriminate against him because of such membership, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

**Sec. 132. Molestation of members.** Whoever shall unlawfully molest, insult, or abuse any member of the national guard or naval militia, while in the performance of his military duty, shall be deemed guilty of a misdemeanor and on conviction thereof, shall be punished by a fine not to exceed five hundred dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

**Sec. 133. Prosecution of offenses before civil courts.** Offenses against the provisions of this chapter, except when they are purely military and committed by a person subject to military jurisdiction, may, unless a different remedy is specially provided, be prosecuted by complaint or indictment before a court of competent criminal jurisdiction; and all fines and forfeitures collected under the provisions of this chapter, the disposition whereof is not otherwise specially provided for, shall be paid into the state treasury and credited to the military fund.

**Sec. 134. Neglect of civil officers to perform duties imposed on them.** Civil officers named in this chapter, neglecting or refusing to obey its provisions, shall be guilty of a misdemeanor.

**Sec. 135. Company by-laws.** Companies of the national guard may make by-laws, subject to the written approval of the adjutant general, not repugnant to law, orders, regulations, and fix a sum to be paid by any mem-

## CHAP. 259

ber of such company for non-compliance therewith not exceeding five dollars. Any member who fails to pay such sums so fixed, within thirty days after notification that the same is due, shall be deemed guilty of conduct to the prejudice of good order and military discipline, and punished by a court-martial accordingly; and all forfeiture resulting therefrom shall be paid into the company treasury.

**Sec. 136. National Guard Association.** The commissioned officers of the national guard may organize themselves into an association the name of which shall be The National Guard Association of the State of Maine. Such association may adopt a constitution and by-laws not repugnant to the law, orders, or regulations, and alter and amend the same, and may take and hold such real and personal property as may be necessary for the purposes of the association.

**Sec. 137. Regulations.** The governor is hereby authorized to make such rules and regulations as he may deem expedient, but such rules and regulations shall conform to this chapter, and regulations published by the militia bureau of the war department for the government of the national guard of the United States, as nearly as practicable, to those governing the United States army and navy, and when promulgated, shall have the same force and effect as the provisions of this chapter. The rules and regulations in force at the time of the passage of this chapter, and not inconsistent herewith, shall remain in force until new rules and regulations are approved and promulgated.

**Sec. 138. When subject to laws governing regular army.** The national guard when called as such into the service of the United States shall, from the time they are required by the terms of the call to respond thereto, be subject to the laws and regulations governing the regular army, so far as such laws and regulations are applicable to officers and enlisted men whose permanent retention in the military service, either on the active list or on the retired list, is not contemplated by existing law.

**Sec. 139. Rules governing militia not in Federal service when called out by governor.** Whenever any portion of the militia not being in the service of the United States shall be on duty or ordered to assemble for duty by the governor in time of actual war, insurrection, invasion or rebellion, the articles of war governing the army of the United States, the articles for the government of the United States navy, and the regulations prescribed for the army and navy of the United States, so far as consistent with this chapter and the regulations issued thereunder, shall be in force and regarded as a part of this chapter until said forces shall duly be relieved from such duty during such state of actual war, insurrection, invasion, or rebellion; but no punishment under such rules and articles which shall extend to the taking of life, shall in any case be inflicted until the approval by the governor of the sentence inflicting such punishment.

## CHAP. 259

**Rules and Articles Governing National Guard.**

**Sec. 140.** Except as provided in the preceding sections the officers and soldiers of any troops whether national guard or unorganized militia of this state or otherwise, appointed, enlisted, mustered or drafted into the military forces of this state, shall, at all times, and in all places, be governed by the following rules and articles and shall be subject to be tried by courts-martial.

**1. PRELIMINARY PROVISIONS.**

**Art. 1. Definitions.** The following words when used in these articles shall be construed in the sense indicated in this article, unless the context shows that a different sense is intended, namely:

(a) The word "officer" shall be construed to refer to a commissioned officer;

(b) The word "soldier" shall be construed as including a non-commissioned officer, a private, or any other enlisted man;

(c) The word "company" shall be understood as including a troop or battery; and

(d) The word "battalion" shall be understood as including a squadron.

**Art. 2. Persons subject to military law.** The following persons are subject to these articles and shall be understood as included in the term "any person subject to military law," or "persons subject to military law," whenever used in these articles:

(a) All officers and soldiers belonging to the national guard of the State of Maine; all volunteers, from the dates of muster or acceptance into the military service of the State of Maine; and all other persons lawfully called, drafted or ordered into, or to duty or for training in, the said service, from the dates they are required by the terms of the call, draft, or order to obey the same:

(e) All persons under sentence adjudged by courts-martial.

**II. COURTS-MARTIAL.**

**Art. 3. Courts-martial classified.** Courts-martial shall be of three kinds, namely:

First, general courts-martial;

Second, special courts-martial; and

Third, summary courts-martial.

**A. Composition.**

**Art. 4. Who may serve on courts-martial.** All officers in the military service of the Maine national guard shall be competent to serve on courts-martial for the trial of any persons who may lawfully be brought before such courts for trial.

**Art. 5. General courts-martial.** General courts-martial may consist of any number of officers from five to thirteen, inclusive; but they shall not



consist of less than thirteen, when that number can be convened without manifest injury to the service.

**Art. 6. Special courts-martial.** Special courts-martial may consist of any number of officers from three to five, inclusive.

**Art. 7. Summary courts-martial.** A summary courts-martial shall consist of one officer.

### **B. By Whom Appointed.**

**Art. 8. General courts-martial.** The President of the United States and the Governor of the State of Maine may appoint general courts-martial.

**Art. 9. Special courts-martial.** The commanding officer of a district, garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a brigade, regiment, detached battalion, or other detached command may appoint special courts-martial; but when any such commanding officer is the accuser or the prosecutor of the person or persons to be tried, the court shall be appointed by superior authority, and may in any case be appointed by superior authority when by the latter deemed desirable; and no officer shall be eligible to sit as a member of such court when he is the accuser or a witness for the prosecution.

**Art. 10. Summary courts-martial.** The commanding officer of a garrison, fort, camp, or other place where troops are on duty, and the commanding officer of a regiment, detached battalion, detached company, or other detachment may appoint summary courts-martial; but such summary courts-martial may in any case be appointed by superior authority when by the latter deemed desirable; provided, that when but one officer is present with a command he shall be the summary court-martial of that command and shall hear and determine cases brought before him.

**Art. 11. Appointment of judge advocates.** For each general or special court-martial the authority appointing the court shall appoint a judge advocate, and for each general court-martial one or more assistant judge advocates when necessary.

### **C. Jurisdiction.**

**Art. 12. General courts-martial.** General courts-martial shall have power to try any person subject to military law for any crime or offense made punishable by the military law. Such courts shall have power to impose fines not exceeding two hundred dollars; to sentence to forfeiture of six months' pay and allowances; to a reprimand; to dismissal or dishonorable discharge from the service; to reduction of non-commissioned officers to the ranks; or any two or more of such punishments may be combined in the sentences imposed by such courts.

**Art. 13. Special courts-martial.** Special courts-martial shall have power to try any person subject to military law, except an officer, for any crime or offense, not capital, made punishable by the military law; provided, that the governor may, by regulations, which he may modify from

**CHAP. 259**

time to time, except from the jurisdiction of special courts-martial any class or classes of persons subject to military law.

Such courts shall have power to impose fines not exceeding one hundred dollars; to sentence to reduction of non-commissioned officers to the ranks; to forfeiture of six months' pay and allowances, or any two or more of such punishments may be combined in the sentence imposed by such courts.

**Art. 14. Summary courts-martial.** Summary courts-martial shall have power to try any person subject to military law, except an officer, for any crime or offense, not capital, made punishable by the military law; provided, that the governor may, by regulations, which he may modify from time to time, exempt from the jurisdiction of summary courts-martial any class or classes of persons subject to military law.

Such courts shall have power to impose fines not exceeding twenty-five dollars for any single offense; to sentence to forfeiture of three months' pay and allowances; to reduction of non-commissioned officers to the ranks; or any two or more of such punishments may be combined in the sentence imposed by such court; provided, that when the summary court officer is also the commanding officer no sentence of such summary courts-martial adjudging forfeiture of pay for a period in excess of one month shall be carried into execution until the same shall have been approved by superior authority.

**Art. 15. Not exclusive.** The provisions of these articles conferring jurisdiction upon courts-martial shall not be construed as depriving military commissions, provost courts, or other military tribunals of concurrent jurisdiction in respect to offenders or offenses and by the law of war may be lawfully triable by such military commissions, provost courts, or other military tribunals.

**Art. 16. Officers, how triable.** Officers shall be triable only by general courts-martial, and in no case shall an officer, when it can be avoided, be tried by officers inferior to him in rank.

**D. Procedure.**

**Art. 17. Judge advocate to prosecute.** The judge advocate of a general or special court-martial shall prosecute in the name of the state, and shall under the direction of the court, prepare the record of its proceedings. The accused shall have the right to be represented before the court by counsel of his own selection for his defense, if such counsel be reasonably available, but should he, for any reason, be unrepresented by counsel, the judge advocate shall from time to time throughout the proceedings advise the accused of his legal rights.

**Art. 18. Challenges.** Members of a general or special court-martial may be challenged by the accused, but only for cause stated to the court. The court shall determine the relevancy and validity thereof, and shall not receive a challenge to more than one member at a time.

**Art. 19. Oaths.** The judge advocate of a general or special court-martial shall administer to the members of the court, before they proceed

## CHAP. 259

upon any trial, the following oath or affirmation: "You, A. B., do swear (or affirm) that you will well and truly try and determine, according to the evidence, the matter now before you, between the State of Maine and the person to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the armies of the State of Maine, and if any doubt should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear (or affirm) that you will not divulge the findings or sentence of the court until they shall be published by the proper authority, except to the judge advocate and assistant judge advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial unless required to give evidence thereof as a witness by a court of justice in due course of law. So help you God."

When the oath or affirmation has been administered to the members of a general or special court-martial, the president of the court shall administer to the judge advocate and to each assistant judge advocate, if any, an oath or affirmation in the following form: "You, A. B., do swear (or affirm) that you will not divulge the findings or sentences of the court to any but the proper authority until they shall be duly disclosed by the same. So help you God."

All persons who give evidence before a court-martial shall be examined on oath or affirmation in the following form: "You swear (or affirm) that the evidence you shall give in the case now in hearing shall be the truth, the whole truth, and nothing but the truth. So help you God."

Every reporter of the proceedings of a court-martial shall, before entering upon his duties, make oath or affirmation in the following form: "You swear (or affirm) that you will faithfully perform the duties of reporter to this court. So help you God."

Every interpreter in the trial of any case before a court-martial shall, before entering upon the duties, make oath or affirmation in the following form: "You swear (or affirm) that you will truly interpret in the case now in hearing. So help you God."

In case of affirmation the closing sentence of adjuration will be omitted.

**Art. 20. Continuances.** A court-martial may, for reasonable cause, grant a continuance to either party for such time and as often as may appear to be just.

**Art. 21. Refusal to plead.** When the accused, arraigned before a court-martial, from obstinacy and deliberate design stands mute or answers foreign to the purpose, the court may proceed to trial and judgment as if he had pleaded not guilty.

**Art. 22. Process to obtain witnesses.** Every judge advocate of a general or special court-martial and every summary court-martial shall have power to issue the like process to compel witnesses to appear and testify which courts of the state, having criminal jurisdiction, may lawfully issue.

**Art. 23. Refusal to appear or testify.** Every person not subject to military law who, being duly subpoenaed to appear as a witness before any

**CHAP. 259**

military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before such court, commission, court of inquiry, or board, wilfully neglects or refuses to appear, or refuses to qualify as a witness, or to testify, or produce documentary evidence which such person may have been legally subpoenaed to produce, shall be deemed guilty of a misdemeanor, for which such person shall be punished on information in any court having criminal jurisdiction in this state, jurisdiction being hereby conferred upon such court for such purpose; and it shall be the duty of the county attorney in any such court of original criminal jurisdiction, on the certification of the facts to him by the military court, commission, court of inquiry, or board, to file an information against and prosecute the person so offending, and the punishment of such person, on conviction, shall be a fine of not more than five hundred dollars or imprisonment not to exceed six months, or both, at the discretion of the court; provided, that the fees of such witness and his mileage, at the rates allowed to witnesses attending the courts of the state, shall be duly paid or tendered said witness, such amounts to be paid out of the military fund.

**Art. 24. Compulsory self-incrimination prohibited.** No witness before a military court, commission, court of inquiry, or board, or before any officer, military or civil, designated to take a deposition to be read in evidence before a military court, commission, court of inquiry, or board, shall be compelled to incriminate himself or to answer any questions which may tend to incriminate or degrade him.

**Art. 25. Depositions, when admissible.** A duly authenticated deposition taken upon reasonable notice to the opposite party may be read in evidence before any military court or commission in any case not capital, or in any proceeding before a court of inquiry or a military board, if such deposition be taken when the witness resides, is found, or is about to be beyond the state, or beyond the distance of one hundred miles from the place of trial or hearing, or when it appears to the satisfaction of the court, commission, board, or appointing authority that the witness, by reason of age, sickness, bodily infirmity, imprisonment, or other reasonable cause, is unable to appear and testify in person at the place of trial or hearing; provided, that testimony by deposition may be adduced for the defense in capital cases.

**Art. 26. Depositions, before whom taken.** Depositions to be read in evidence before military courts, commission, courts of inquiry, or military boards, or for other use in military administration, may be taken before and authenticated by any officer, military or civil, authorized by the laws of the state or by the laws of the place where the deposition is taken to administer oaths.

**Art. 27. Courts of inquiry, records of, when admissible.** The record of the proceedings of a court of inquiry may be read in evidence before any court-martial or military commission in any case not capital not extending to the dismissal of an officer, and may also be read in evidence in any proceeding before a court of inquiry or a military board; provided, that

such evidence may be adduced by the defense in capital cases or cases extending to the dismissal of an officer.

**Art. 28. Resignation without acceptance does not release officer.** Any officer who, having tendered his resignation and prior to due notice of the acceptance of the same, quits his post or proper duties without leave and with intent to absent himself permanently therefrom shall be deemed a deserter.

**Art. 29. Enlistment without discharge.** Any soldier who, without having first received a regular discharge, again enlists in the Maine National Guard, or in the army, navy or marine corps of the United States, or in any foreign army, shall be deemed to have deserted the service of the state; and, where the enlistment is in the Maine National Guard mentioned above to have fraudulently enlisted therein.

**Art. 30. Closed sessions.** Whenever a general or special court-martial shall sit in closed session, the judge advocate and the assistant judge advocate, if any, shall withdraw; and when their legal advice or their assistance in referring to the recorded evidence is required, it shall be obtained in open court and in the presence of the accused and of his counsel if there be any.

**Art. 31. Order of voting.** Members of a general or special court-martial, in giving their votes, shall begin with the junior in rank.

**Art. 32. Contempts.** A court-martial may punish at discretion, subject to the limitations contained in article fourteen, any person who uses any menacing words, signs, or gestures in its presence, or who disturbs its proceeding by any riot or disorder.

**Art. 33. Records, general courts-martial.** Each general court-martial shall keep a separate record of its proceedings in the trial of each case brought before it, and such record shall be authenticated by the signature of the president and the judge advocate; but in case the record can not be authenticated by the judge advocate, by reason of his death, disability, or absence, it shall be signed by the president and an assistant judge advocate, if any; and if there be no assistant judge advocate, or in case of his death, disability, or absence, then by the president and one other member of the court.

**Art. 34. Records, special and summary courts-martial.** Each special court-martial and each summary court-martial shall keep a record of its proceedings, separate for each case, which record shall contain such matter and be authenticated in such manner as may be required by regulations which the governor may from time to time prescribe.

**Art. 35. Disposition of records, general courts-martial.** The judge advocate of each general court-martial shall, with such expedition as circumstances may permit, forward to the appointing authority or to his successor in command the original record of the proceedings of such court in the trial of each case. All records of such proceedings shall, after having been finally acted upon, be transmitted to the adjutant general.

## CHAP. 259

**Art. 36. Disposition of records, special and summary courts-martial.** After having been acted upon by the officer appointing the court, or by the officer commanding for the time being, the record of each trial by special court-martial and a report of each trial by summary court-martial shall be transmitted to the adjutant general. When no longer of use, records of special and summary courts-martial may be destroyed.

**Art. 37. Irregularities, effect of.** The proceedings of a court-martial shall not be held invalid, nor the findings or sentence disapproved, in any case on the ground of improper admission or rejection of evidence or for any error as to any matter of pleading or procedure unless in the opinion of the reviewing or confirming authority, after an examination of the entire proceedings, it shall appear that the error complained of has injuriously affected the substantial rights of an accused; provided, that the act of omission upon which the accused has been tried constitutes an offense denounced and made punishable by one or more of these articles; provided further, that the omission of the words "hard labor" in any sentence of a court-martial adjudging imprisonment or confinement shall not be construed as depriving the authorities executing such sentence of imprisonment or confinement of the power to require hard labor as a part of the punishment in any case where it is authorized by the executive order prescribing maximum punishments.

**Art. 38. Governor may prescribe rules.** The governor may, by regulations which he may modify from time to time, prescribe the procedure, including modes of proof, in cases before courts-martial, courts of inquiry, military commission, and other military tribunals; provided, that nothing contrary to or inconsistent with these articles shall be so prescribed.

### E. Limitations Upon Prosecutions.

**Art. 39. Time.** Except for desertion committed in time of war, or for mutiny or murder, no person subject to military law shall be liable to be tried or punished by a court-martial for any crime or offense committed more than two years before the arraignment of such person; provided, that for desertion in time of peace or for any crime or offense punishable under articles ninety-three and ninety-four of this code the period of limitations upon trial and punishment by court-martial shall be three years; provided further, that the period of any absence of the accused from the jurisdiction of the state, and also any period during which by reason of some manifest impediment the accused shall not have been amenable to military justice, shall be excluded in computing the aforesaid periods of limitation; and provided further, that this article shall not have the effect to authorize the trial or punishment for any crime or offense barred by the provisions of existing law.

**Art. 40. Number.** No person shall be tried a second time for the same offense.

**F. Punishments.**

**Art. 41. Prohibitions.** Punishment by flogging, or by branding, marking, or tattooing on the body is prohibited.

**Art. 42. Places of confinement.** Except for desertion in time of war, repeated desertion in time of peace, and mutiny, no person shall under the sentence of court-martial be punished by confinement in the penitentiary unless an act or omission of which he is convicted is recognized as an offense of a civil nature by some statute of the state, or at the common law, or by way of commutation of a death sentence, and unless, also, the period of confinement authorized and adjudged by such court-martial is one year or more; provided, that when a sentence of confinement is adjudged by a court-martial upon conviction of two or more acts or omissions any one of which is punishable under these articles by confinement in the penitentiary, the entire sentence of confinement may be excused.

**Art. 43. Death sentence.** No person shall, by general court-martial, be convicted of an offense for which the death penalty is made mandatory by law, nor sentenced to suffer death, except by the concurrence of two-thirds of the members of said court-martial and for an offense in these articles expressly made punishable by death. All other convictions and sentences, whether by general or special court-martial, may be determined by a majority of the members present.

**Art. 44. Cowardice; fraud; penalty.** When an officer is dismissed from the service for cowardice or fraud, the crime, punishment, name, and place of abode of the delinquent shall be published in the newspapers in the state; and after such publication it shall be scandalous for an officer to associate with him.

**Art. 45. Maximum limits.** Whenever the punishment for a crime or offense made punishable by these articles is left to the discretion of the court-martial, the punishment shall not, in time of peace, exceed such limit or limits as the governor may from time to time prescribe.

**G. Action by Appointing or Superior Authority.**

**Art. 46. Approval and execution of sentence.** No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer appointing the court or by the officer commanding for the time being.

**Art. 47. Power to approve.** The power to approve the sentence of a court-martial shall be held to include:

(a) The power to approve or disapprove a finding and to approve only so much of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to approve, the evidence of record requires a finding of only the lesser degree of guilt; and

(b) The power to approve or disapprove the whole or any part of the sentence.

## CHAP. 259

**Art. 48. Confirmation.** In addition to the approval required by article forty-six, confirmation by the governor is required in the following cases before the sentence of a court-martial is carried into execution, namely:

- (a) Any sentence respecting a general officer;
- (b) Any sentence extending to the dismissal of an officer; and
- (d) Any sentence of death, except in the cases of persons convicted in time of war of murder, rape, mutiny, desertion, or as spies.

When the authority competent to confirm the sentence has already acted as the approving authority no additional confirmation by him is necessary.

**Art. 49. Power to confirm.** The power to confirm the sentence of a court-martial shall be held to include:

(a) The power to confirm or disapprove a finding, and to confirm so much only of a finding of guilty of a particular offense as involves a finding of guilty of a lesser included offense when, in the opinion of the authority having power to confirm, the evidence of record requires a finding of only the lesser degree of guilt; and

(b) The power to confirm or disapprove the whole or any part of the sentence.

**Art. 50. Mitigation or remission.** The power to order the execution of the sentence adjudged by a court martial shall be held to include, inter alia, the power to mitigate or remit the whole or any part of the sentence, but no sentence of dismissal of an officer and no sentence of death shall be mitigated or remitted by any authority inferior to the governor.

**Art. 53. Suspension.** The authority competent to order the execution of a sentence adjudged by a court-martial may, if the sentence involve neither dismissal nor dishonorable discharge, suspend the execution of the sentence in so far as it relates to the forfeiture of pay or to confinement, or to both; and the person under sentence may be restored to duty during the suspension of confinement.

### III. PUNITIVE ARTICLES.

#### A. Enlistment; Muster; Returns.

**Art. 54. Fraudulent enlistment.** Any person who shall procure himself to be enlisted in the military service of the state by means of wilful misrepresentation or concealment as to his qualifications for enlistment, and shall receive pay or allowances under such enlistment, shall be punished as a court-martial may direct.

**Art. 55. Officer making unlawful enlistment.** Any officer who knowingly enlists or musters into the military service any person whose enlistment or muster in is prohibited by law, regulations, or orders, shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

**Art. 56. Muster rolls; false muster.** At every muster of a regiment, troop, battery, or company the commanding officer thereof shall give to the mustering officer certificates, signed by himself, stating how long absent offi-



cers have been absent and the reasons of their absence. And the commanding officer of every troop, battery, or company shall give like certificates, stating how long absent non-commissioned officers and private soldiers have been absent and the reasons of their absence. Such reasons and time of absence shall be inserted in the muster rolls opposite the names of the respective absent officers and soldiers, and the certificates, together with the muster rolls, shall be transmitted by the mustering officer to the adjutant general as speedily as the distance of the place and muster will admit. Any officer who knowingly makes a false muster of man or animal, or who signs or directs or allows the signing of any muster roll knowing the same to contain a false muster or false statement as to the absence or pay of an officer or soldier, or who wrongfully takes money or other consideration on mustering in a regiment, company, or other organization, or on signing muster rolls, or who knowingly musters as an officer or soldier a person who is not such officer or soldier, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

**Art. 57. False returns; failure to render returns.** Every officer commanding a regiment, an independent troop, battery or company or a garrison, shall transmit through proper channels such returns at such periods as may be designated in regulations by the war department. Every officer whose duty it is to render a return of the troops under his command or of the arms, ammunition, clothing, funds or other property thereunto belonging and who knowingly makes a false return thereof shall be dismissed from the service and suffer such other punishment as a court-martial may direct and any officer who through neglect or design omits to render such return shall be punished as a court-martial may direct.

#### **B. Desertion; Absence without Leave.**

**Art. 58. Desertion.** Any person subject to military law who deserts or attempts to desert the service of the state shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death, that a court-martial may direct.

**Art. 59. Aiding another to desert.** Any person subject to military law who advises or persuades or knowingly assists another to desert the service of the state shall, if the offense be committed in time of war, suffer death, or such other punishment as a court-martial may direct, and, if the offense be committed at any other time, any punishment, excepting death that a court-martial may direct.

**Art. 60. Entertaining a deserter.** Any officer who, after having discovered that a soldier in his command is a deserter from the national guard or naval militia, retains such deserter in his command without informing superior authority or the commander of the organization to which the deserter belongs, shall be punished as a court-martial may direct.

**Art. 61. Absence without leave.** Any person subject to military law who fails to repair at the fixed time to the properly appointed place of duty,

**CHAP. 259**

or goes from the same without proper leave, or absents himself from his command, guard, quarters, station, or camp without proper leave, shall be punished as a court-martial may direct.

**C. Disrespect; Insubordination; Mutiny.**

**Art. 62. Disrespect toward the President, Vice-President, Congress, secretary of war, governors, legislatures.** Any officer who uses contemptuous or disrespectful words against the President, Vice-President, the Congress of the United States, the secretary of war, or the governor or legislature of any state, territory, or other possession of the United States in which he is quartered shall be dismissed from the service or suffer such other punishment as a court-martial may direct. Any other person subject to military law who so offends shall be punished as a court-martial may direct.

**Art. 63. Disrespect toward superior officers.** Any person subject to military law who behaves himself with disrespect toward his superior officer shall be punished as a court-martial may direct.

**Art. 64. Assaulting or disobeying superior officer.** Any person subject to military law who, on any pretense whatsoever, strikes his superior officer or draws or lifts up any weapon or offers any violence against him, being in the execution of his office, or wilfully disobeys any lawful command of his superior officer, shall suffer death or such other punishment as a court-martial may direct.

**Art. 65. Insubordinate conduct toward non-commissioned officer.** Any soldier who strikes or assaults, or who attempts or threatens to strike or assault, or wilfully disobeys the lawful order of a non-commissioned officer while in the execution of his office, or uses threatening or insulting language, or behaves in an insubordinate or disrespectful manner toward a non-commissioned officer while in the execution of his office, shall be punished as a court-martial may direct.

**Art. 66. Mutiny or sedition.** Any person subject to military law who attempts to create or who begins, excites, causes, or joins in any mutiny or sedition in any company, party, post, camp, detachment, guard, or other command shall suffer death or such other punishment as a court-martial may direct.

**Art. 67. Failure to suppress mutiny or sedition.** Any officer or soldier who, being present at any mutiny or sedition, does not use his utmost endeavor to suppress the same, or knowing or having reason to believe that a mutiny or sedition is to take place, does not without delay give information thereof to his commanding officer shall suffer death or such other punishment as a court-martial may direct.

**Art. 68. Quarrels, frays, disorders.** All officers and non-commissioned officers have power to part and quell all quarrels, frays, and disorders among persons subject to military law and to order officers who take part in the same into arrest, and other persons subject to military law who take part in the same into arrest or confinement, as circumstances may require, until

their proper superior officer is acquainted therewith. And whosoever, being so ordered, refuses to obey such officer or non-commissioned officer or draws a weapon upon or otherwise threatens or does violence to him shall be punished as a court-martial may direct.

#### **D. Arrest; Confinement.**

**Art. 69. Arrest or confinement of accused persons.** An officer charged with crime or with a serious offense under these articles shall be placed in arrest by the commanding officer, and in exceptional cases an officer so charged may be placed in confinement by the same authority. A soldier charged with crime or with a serious offense under these articles shall be placed in confinement, and when charged with a minor offense he may be placed in arrest. Any other person subject to military law charged with crime or with a serious offense under these articles shall be placed in confinement or in arrest, as circumstances may require; and when charged with a minor offense such person may be placed in arrest. Any person placed in arrest under the provisions of this article shall thereby be restricted to his barracks, quarters, or tent, unless such limits shall be enlarged by proper authority. Any officer who breaks his arrest or who escapes from confinement before he is set at liberty by proper authority shall be dismissed from the service or suffer such other punishment as a court-martial may direct; and any other person subject to military law who escapes from confinement or who breaks his arrest before he is set at liberty by proper authority shall be punished as a court-martial may direct.

**Art. 70. Investigation of and action upon charges.** No person put in arrest shall be continued in confinement more than eight days, or until such time as a court-martial can be assembled. When any person is put in arrest for the purpose of trial, except at remote military posts or stations, the officer by whose order he is arrested shall see that a copy of the charges on which he is to be tried is served upon him within eight days after his arrest, and that he is brought to trial within ten days thereafter, unless the necessities of the service prevent such trial; and then he shall be brought to trial within thirty days after the expiration of said ten days. If a copy of the charges be not served, or the arrested person be not brought to trial, as herein required, the arrest shall cease. But persons released from arrest, under the provisions of this article, may be tried, whenever the exigencies of the service shall permit, within twelve months after such release from arrest; provided, that in time of peace no person shall, against his objection, be brought to trial before a general court-martial within a period of five days subsequent to the service of charges upon him.

**Art. 71. Refusal to receive and keep prisoners.** No provost marshal or commander of a guard shall refuse to receive or keep any prisoner committed to his charge by an officer belonging to the forces of the state, provided the officer committing shall, at the time, deliver an account in writing, signed by himself, of the crime or offense charged against the prisoner. Any officer or soldier so refusing shall be punished as a court-martial may direct.

## CHAP. 259

**Art. 72. Report of prisoner received.** Every commander of a guard to whose charge a prisoner is committed, shall within twenty-four hours after such confinement, or as soon as he is relieved from his guard, report in writing to the commanding officer the name of such prisoner, the offense charged against him, and the name of the officer committing him; and if he fails to make such report he shall be punished as a court-martial may direct.

**Art. 73. Release of prisoner without proper authority.** Any person subject to military law who, without proper authority, releases any prisoner duly committed to his charge, or who, through neglect or design, suffers any prisoner so committed to escape, shall be punished as a court-martial may direct.

**Art. 74. Delivery of offenders to civil authorities.** When any person subject to military law, except one who is held by the military authorities to answer, or who is awaiting trial or result of trial, or who is undergoing sentence for a crime or offense punishable under these articles, is accused of a crime or offense committed within the geographical limits of the state, and punishable by the laws of the land, the commanding officer is required, except in time of war, upon application duly made, to use his utmost endeavor to deliver over such accused person to the civil authorities, or to aid the officers of justice in apprehending and securing him, in order that he may be brought to trial. Any commanding officer who upon such application refuses or wilfully neglects, except in time of war, to deliver over such accused person to the civil authorities or to aid the officers of justice in apprehending and securing him, shall be dismissed from the service or suffer such other punishment as a court-martial may direct.

When under the provisions of this article delivery is made to the civil authorities of an offender undergoing sentence of a court-martial, such delivery, if followed by conviction, shall be held to interrupt the execution of the sentence of the court-martial, and the offender shall be returned to military custody after having answered to the civil authorities for his offense, for the completion of the said court-martial sentence.

### E. War Offenses.

**Art. 75. Misbehavior before the enemy.** Any officer or soldier who misbehaves himself before the enemy, runs away, or shamefully abandons or delivers up any fort, post, camp, guard, or other command which it is his duty to defend, or speaks words inducing others to do the like, or casts away his arms or ammunition, or quits his post or colors to plunder or pillage, or by any means whatsoever occasions false alarms in camp, garrison, or quarters, shall suffer death or such other punishment as a court-martial may direct.

**Art. 76. Subordinates compelling commander to surrender.** If any commander of any garrison, fort, post, camp, guard, or other command is compelled by the officers or soldiers under his command to give it up to the enemy or to abandon it, the officers or soldiers so offending shall suffer death or such other punishment as a court-martial may direct.

**Art. 77. Improper use of countersign.** Any person subject to military law who makes known the parole or countersign to any person not entitled to receive it according to the rules and discipline of war, or gives a parole or countersign different from that which he received, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct.

**Art. 78. Forcing a safeguard.** Any person subject to military law who, in time of war, forces a safeguard shall suffer death or such other punishment as a court-martial may direct.

**Art. 79. Captured property to be secured for public services.** All public property taken from the enemy is the property of the state and shall be secured for the service of the state, and any person subject to military law who neglects to secure such property or is guilty of wrongful appropriation thereof shall be punished as a court-martial may direct.

**Art. 80. Dealing in captured or abandoned property.** Any person subject to military law who buys, sells, trades, or in any way deals in or disposes of captured or abandoned property, whereby he shall receive or expect any profit, benefit, or advantage to himself, or to any other person directly or indirectly connected with himself, or who fails whenever such property comes into his possession or custody or within his control to give notice thereof to the proper authority and to turn over such property to the proper authority without delay, shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial, military commission, or other military tribunal may adjudge, or by any or all of said penalties.

**Art. 81. Relieving corresponding with, or aiding the enemy.** Whosoever relieves the enemy with arms, ammunition, supplies, money, or other thing, or knowingly harbors or protects or holds correspondence with or gives intelligence to the enemy, either directly or indirectly, shall suffer death, or such other punishment as a court-martial or military commission may direct.

**Art. 82. Spies.** Any person who in time of war shall be found lurking or acting as a spy in or about any of the fortifications, posts, quarters or encampments of any of the armies of the state, or elsewhere, shall be tried by a general court-martial or by a military commission, and shall, on conviction thereof, suffer death.

#### F. Miscellaneous Crimes and Offenses.

**Art. 83. Military property.** Any person subject to military law who wilfully or through neglect suffers to be lost, spoiled, damaged, or wrongfully disposed of, any military property belonging to the United States or the State of Maine shall make good the loss or damage and suffer such punishment as a court-martial may direct.

**Art. 84. Waste or unlawful disposition of military property issued to soldiers.** Any soldier who sells or wrongfully disposes of or wilfully or

**CHAP. 259**

through neglect injures or loses any horse, arms, ammunition, accoutrements, equipment, clothing, or other property issued for use in the military service, shall be punished as a court-martial may direct.

**Art. 85. Drunk on duty.** Any officer who is found drunk on duty shall, if the offense be committed in time of war, be dismissed from the service and suffer such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall be punished as a court-martial may direct. Any person subject to military law, except an officer, who is found drunk on duty shall be punished as a court-martial may direct.

**Art. 86. Misbehavior of sentinel.** Any sentinel who is found drunk or sleeping upon his post, or who leaves it before he is regularly relieved, shall, if the offense be committed in time of war, suffer death or such other punishment as a court-martial may direct; and if the offense be committed in time of peace, he shall suffer any punishment, except death, that a court-martial may direct.

**Art. 87. Personal interest in sale of provisions.** Any officer commanding in any garrison, fort, barracks, camp, or other place where troops of the state may be serving who, for his private advantage, lays any duty or imposition upon or is interested in the sale of any victuals or other necessities of life brought into such garrison, fort, barracks, camp, or other place for the use of the troops, shall be dismissed from the service and suffer such other punishment as a court-martial may direct.

**Art. 88. Intimidation of persons bringing provisions.** Any person subject to military law who abuses, intimidates, does violence to, or wrongfully interferes with any person bringing provisions, supplies, or other necessities to the camp, garrison, or quarters of the forces of the state shall suffer such punishment as a court-martial may direct.

**Art. 89. Good order to be maintained and wrongs redressed.** All persons subject to military law are to behave themselves orderly in quarters, garrison, camp and on the march; and any person subject to military law who commits any waste or spoil, or wilfully destroys any property whatsoever (unless by order of his commanding officer), or commits any kind of depredation or riot, shall be punished as a court-martial may direct. Any commanding officer who, upon complaint made to him, refuses or omits to see reparation made to the party injured, in so far as the offender's pay shall go toward such reparation, as provided for in article one hundred and five shall be dismissed from the service or otherwise punished as a court-martial may direct.

**Art. 90. Provoking speeches or gestures.** No person subject to military law shall use any reproachful or provoking speeches or gestures to another; and any person subject to military law who offends against the provisions of this article shall be punished as a court-martial may direct.

**Art. 91. Dueling.** Any person subject to military law who fights or promotes or is concerned in or connives at fighting a duel, or who having knowledge of a challenge sent or about to be sent fails to report the fact

promptly to the proper authority, shall, if an officer, be dismissed from the service or suffer such other punishment as a court-martial may direct; and, if any other person, subject to military law, shall suffer such punishment as a court-martial may direct.

**Art. 92. Murder; rape.** Any person subject to military law who commits murder or rape shall suffer death or imprisonment for life, as a court-martial may direct; but no person shall be tried by court-martial for murder or rape committed within the geographical limits of the state in time of peace.

**Art. 93. Various crimes.** Any person subject to military law who commits manslaughter, mayhem, arson, burglarly, robbery, larceny, embezzlement, perjury, assault with intent to commit any felony, or assault with intent to do bodily harm, shall be punished as a court-martial may direct.

**Art. 94. Frauds against the government.** Any person subject to military law who makes or causes to be made any claim against the United States or State of Maine or any officer thereof, knowing such claim to be false or fraudulent; or

Who presents or causes to be presented to any person in the civil or military service thereof, for approval or payment, any claim against the United States, State of Maine or any officer thereof, knowing such claim to be false or fraudulent; or

Who enters into any agreement or conspiracy to defraud the United States or State of Maine by obtaining, or aiding others to obtain, the allowance or payment of any false or fraudulent claim; or

Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States, State of Maine or against any officer thereof, makes or uses, or procures, or advises the making or use of, any writing or other paper, knowing the same to contain any false or fraudulent statements; or

Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States, State of Maine or any officer thereof, makes, or procures, or advises the making of, any oath to any fact or to any writing or other paper, knowing such oath to be false; or

Who, for the purpose of obtaining, or aiding others to obtain, the approval, allowance, or payment of any claim against the United States, State of Maine or any officer thereof, forges or counterfeits, or procures, or advises the forging or counterfeiting of any signature upon any writing or other paper, or uses, or procures, or advises the use of any such signature, knowing the same to be forged or counterfeited; or

Who, having charge, possession, custody, or control of any money or other property of the United States, or State of Maine furnished or intended for the military service thereof, knowingly delivers, or causes to be delivered, to any person having authority to receive the same, any amount thereof less than that for which he receives a certificate or receipt; or

Who, being authorized to make or deliver any paper certifying the receipt of any property of the United States and State of Maine furnished or

**CHAP. 250**

intended for the military service thereof, makes or delivers to any person such writing, without having full knowledge of the truth of the statements therein contained and with intent to defraud the United States or State of Maine; or

Who steals, embezzles, knowingly and wilfully misappropriates, applies to his own use or benefit, or wrongfully or knowingly sells or disposes of any ordnance, arms, equipments, ammunition, clothing, subsistence stores, money, or other property of the United States and State of Maine furnished or intended for the military service thereof; or

Who knowingly purchases or receives in pledge for any obligation or indebtedness from any soldier, officer, or other person who is a part of or employed in said forces or service, any ordnance, arms, equipment, ammunition, clothing, subsistence stores, or other property of the United States or State of Maine, such soldier, officer, or other person not having lawful right to sell or pledge the same;

Shall, on conviction thereof, be punished by fine or imprisonment, or by such other punishment as a court-martial may adjudge, or by any or all of said penalties. And if any person, being guilty of any of the offenses aforesaid while in the military service of the United States, or State of Maine, receives his discharge or is dismissed from the service, he shall continue to be liable to be arrested and held for trial and sentence by a court-martial in the same manner and to the same extent as if he had not received such discharge nor been dismissed.

**Art. 95. Conduct unbecoming officer and gentleman.** Any officer who is convicted of conduct unbecoming an officer and a gentleman shall be dismissed from the service.

**Art. 96. General article.** Though not mentioned in these articles, all disorders and neglects to the prejudice of good order and military discipline, all conduct of a nature to bring discredit upon the military service, and all crimes or offenses not capital, of which persons subject to military law may be guilty, shall be taken cognizance of by a general or special or summary court-martial, according to the nature and degree of the offense, and punished at the discretion of such court.

#### **IV. COURTS OF INQUIRY.**

**Art. 97. When and by whom ordered.** A court of inquiry to examine into the nature of any transaction of or accusation or imputation against any officer or soldier may be ordered by the governor; but a court of inquiry shall not be ordered by the governor except upon the request of the officer or soldier whose conduct is to be inquired into.

**Art. 98. Composition.** A court of inquiry shall consist of three or more officers. For each court of inquiry the authority appointing the court shall appoint a recorder.

**Art. 99. Challenges.** Members of a court of inquiry may be challenged by the party whose conduct is to be inquired into, but only for cause stated to the court. The court shall determine the relevancy and va-



lidity of any challenge, and shall not receive a challenge to more than one member at a time. The party whose conduct is being inquired into shall have the right to be represented before the court by counsel of his own selection, if such counsel be reasonably available.

**Art. 100. Oath of members and recorder.** The recorder of a court of inquiry shall administer to the members the following oath: "You, A. B., do swear (or affirm) that you will well and truly examine and inquire, according to the evidence, into the matter now before you, without partiality, favor, affection, prejudice, or hope of reward. So help you God." After which the president of the court shall administer to the recorder the following oath: "You, A. B., do swear (or affirm) that you will, according to your best abilities, accurately and impartially record the proceedings of the court and the evidence to be given in the case in hearing. So help you God."

In case of affirmation the closing sentence of adjuration will be omitted.

**Art. 101. Powers; procedure.** A court of inquiry and the recorder thereof shall have the same power to summon and examine witnesses as is given to courts-martial and the judge advocate thereof. Such witnesses shall take the same oath or affirmation that is taken by witnesses before courts-martial. A reporter or an interpreter for a court of inquiry shall, before entering upon his duties, take the oath or affirmation required of a reporter or an interpreter for a court-martial. The party whose conduct is being inquired into, or his counsel, if any, shall be permitted to examine and cross-examine witnesses so as fully to investigate the circumstances in question.

**Art. 102. Opinion on merits of case.** A court of inquiry shall not give an opinion on the merits of the case inquired into unless specially ordered to do so.

**Art. 103. Record of proceedings; how authenticated.** Each court of inquiry shall keep a record of its proceedings, which shall be authenticated by the signature of the president and the recorder thereof, and be forwarded to the convening authority. In case the record can not be authenticated by the recorder, by reason of his death, disability, or absence, it shall be signed by the president and by one other member of the court.

## V. MISCELLANEOUS PROVISIONS.

**Art. 104. Disciplinary powers of commanding officers.** Under such regulations as the governor may prescribe, and which he may from time to time revoke, alter, or add to, the commanding officer of any detachment, company, or higher command may, for minor offenses not denied by the accused, impose disciplinary punishments upon persons of his command without the intervention of a court-martial, unless the accused demands trial by court-martial.

The disciplinary punishments authorized by this article may include admonition, reprimand, withholding of privileges, extra fatigue, and restriction to certain specified limits, but shall not include forfeiture of pay or

**CHAP. 259**

stances which appear to require investigation, the commanding officer will designate and direct a summary court-martial to investigate the circumstances attending the death; and for this purpose such summary court-martial shall have power to summon witnesses and examine them upon oath or affirmation. He shall promptly transmit to the post or other commander a report of his investigation and of his findings as to the cause of the death.

**Art. 114. Authority to administer oaths.** Any judge advocate or acting judge advocate, the president of a general or special court-martial, any summary court-martial, the judge advocate or any assistant judge advocate of a general or special court-martial, the president or the recorder of a court of inquiry or of a military board, any officer designated to take a deposition, any officer detailed to conduct an investigation, and the adjutant of any command shall have power to administer oaths for the purposes of the administration of military justice and for other purposes of military administration; and in foreign places where the national guard of the State of Maine may be serving shall have the general powers of a notary public or of a consul of the state in the administration of oaths, the execution and acknowledgment of legal instruments, the attestation of documents, and all other forms of notarial acts to be executed by persons subject to military law.

**Art. 115. Appointment of reporters and interpreters.** Under such regulations as the governor may from time to time prescribe, the president of a court-martial or military commission, or a court of inquiry shall have power to appoint a reporter, who shall record the proceedings of and testimony taken before such court or commission and may set down the same, in the first instance, in shorthand. Under like regulations the president of a court-martial or military commission, or court of inquiry, or a summary court, may appoint an interpreter, who shall interpret for the court or commission.

**Art. 116. Powers of assistant judge advocate.** An assistant judge advocate of a general court-martial shall be competent to perform any duty devolved by law, regulation, or the custom of the service upon the judge advocate of the court.

**Art. 118. Officers, separation from service.** No officer shall be discharged or dismissed from the service except by order of the governor or by sentence of a general court-martial; and in time of peace no officer shall be dismissed except in pursuance of the sentence of a court-martial or in mitigation thereof; but the governor may at any time drop from the rolls of the national guard any officer who has been absent from duty three months without leave or who has been absent in confinement in a prison or penitentiary for three months after final conviction by a court of competent jurisdiction.

**Art. 121. Complaints of wrongs.** Any officer or soldier who believes himself wronged by his commanding officer, and, upon due application to such commander, is refused redress, may complain to the next higher in

command where the officer against whom the complaint is made is stationed. This officer shall examine into said complaint and take proper measures for redressing the wrong complained of; and he shall, as soon as possible, transmit to the adjutant general a true statement of such complaint, with the proceedings had thereon.

**Sec. 141. Certain statutes repealed.** Chapter two hundred and six of the public laws of nineteen hundred and nine, chapters seven and eighty-one of the public laws of nineteen hundred and eleven, chapter three and one hundred and fifty-one of the public laws of nineteen hundred and thirteen and chapter one hundred and forty-five of the public laws of nineteen hundred and fifteen and all amendments thereto as embodied in chapter fifteen of the revised statutes are hereby repealed.

**Sec. 142. Denomination.** This chapter shall be known as "The Military Law of the State of Maine."

**Sec. 143. Emergency Clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 7, 1917.

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## Chapter 260.

An Act to Establish a Superior Court in the County of Androscoggin.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Superior court for Androscoggin; qualification of justice.** A superior court is hereby established at Auburn within and for the county of Androscoggin, consisting of one justice, who shall be an inhabitant of said county, of sobriety of manners and learned in the law; he shall be appointed, commissioned and qualified according to the constitution.

**Sec. 2. Seal; writs and processes.** Said justice shall establish a seal for said court; and all writs and processes issuing therefrom shall be in the name of the state, of the usual forms, bearing the teste of said justice, under the seal of said court, and shall be signed by its clerk, and may be made returnable in the superior court of any other county in which the action might be legally brought; they shall be obeyed and executed throughout the state.

**Sec. 3. Jurisdiction.** Within said county, said superior court shall have exclusive jurisdiction of civil appeals from municipal and police courts, and trial justices, exclusive original jurisdiction of actions of scire facias on judgments and recognizances not exceeding five hundred dollars; of bastardy trials, and all other civil actions at law not exclusively cognizable by municipal and police courts, and trial justices, where the damages demanded do not exceed five hundred dollars, except complaints for flowage, real actions and actions of trespass quare clausum; and concurrent original jurisdiction of actions of trespass quare clausum, libels for divorce and proceedings in habeas corpus, and of all other civil actions at law where the dam-

**CHAP. 260**

ages exceed five hundred dollars, except complaints for flowage and real actions.

**Sec. 4. Criminal jurisdiction.** The original and appellate jurisdiction in all criminal matters now vested in, and exercised by the supreme judicial court within and for the county of Androscoggin, and all powers incident thereto, shall be transferred to and conferred upon the superior court within and for said county, which court shall exercise the same in the same manner as heretofore authorized by law to be exercised by the supreme judicial court in said county.

**Sec. 5. Actions pending in supreme court transferred.** All indictments and informations, and all criminal processes pending in said supreme judicial court for said county shall be transferred to said superior court, and shall be entered upon the docket of the same at the October, nineteen hundred and seventeen, term, thereof, and shall have day therein; and all warrants and recognizances, appeals in criminal cases, and all criminal processes whatever, which but for the passage of this act would be returnable to, or which by law would be entered in said supreme judicial court in said county, on the third Tuesday of September, nineteen hundred and seventeen, shall be returnable to and entered upon the docket of said superior court at said October, nineteen hundred and seventeen, term thereof, and shall have day therein; and all grand jurors, witnesses and others, in criminal matters, who would, but for the passage of this act, be held to appear at said supreme judicial court for said county, on the third Tuesday of September, nineteen hundred and seventeen, shall be held to appear at said October term of said superior court.

**Sec. 6. Terms; certain terms may be held without jury.** Said court shall be held for civil business on the first Tuesday of every month, except July, August and September; but the criminal business of said county shall be transacted at the terms held on the first Tuesdays of February, May and October, together with civil business.

Traverse jurors shall be drawn and returned to serve at the several terms of said court, except that, in the discretion of the justice of said court, not exceeding three civil terms during a calendar year may be held without a traverse jury.

**Sec. 7. First term; transfer of pending actions discretionary with justice; jurisdiction of supreme judicial court limited.** The first term of said superior court shall be held on the first Tuesday of October, nineteen hundred and seventeen. At any term of the supreme judicial court for said county of Androscoggin held after this act shall take effect, any action pending therein which would fall within the exclusive jurisdiction of said superior court, as hereinbefore defined and established, with all papers belonging thereto and orders and decrees thereon, may, on motion of either party, be transferred from the docket of said supreme judicial court to the docket of said superior court, and entered, tried and have day therein as if it had been originally commenced therein; provided, that the justice presiding in said supreme judicial court believes that a speedier trial may thus be had. And upon the taking effect of this act the jurisdiction of the supreme judicial court for the trial of civil cases in said county shall be limited in conformity

to the foregoing provisions; and all acts and parts of acts relating to courts and judicial proceedings shall be modified so far as to give full effect to this act, and all acts and parts of acts inconsistent with this act are hereby repealed.

**Sec. 8. Actions when returnable.** Actions may be made returnable at one of the next two terms of said court begun and held after the commencement thereof.

**Sec. 9. Justice; appointment and salary.** The justice of said superior court may be appointed, commissioned and qualified at any time after this act shall take effect, and his salary shall be thirty-five hundred dollars annually. He shall be entitled to receive the same from the treasury of the state in quarterly payments, on the first days of January, April, July and October.

**Sec. 10. Provisions as to Cumberland and Kennebec courts applicable except as modified.** The provisions of the revised statutes, chapter eighty-two, sections eighty-eight to one hundred and five, inclusive, applicable to the superior courts for the counties of Cumberland and Kennebec, are hereby made applicable to said superior court for the county of Androscoggin, except as the same may be modified by the other provisions of this act.

**Sec. 11. Stenographer; duties and salary.** The justice of said court may appoint a stenographer to report the proceedings thereof, who shall be an officer of the court and be sworn to a faithful discharge of his duty, and who shall perform the duties prescribed and be subject to the provisions of the revised statutes, chapter eighty-seven, sections one hundred and sixty-seven to one hundred and seventy-two inclusive, so far as the same may be applicable. The salary of said stenographer shall be fifteen hundred dollars annually, to be paid quarterly from the treasury of the county.

Approved April 7, 1917.

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## Chapter 261.

**An Act to Provide for the Division and Management of the School Fund from the Sale of Timber and Grass, and from Trespasses on Reserved Lands, and Amending Sections Twenty and Twenty-one of Chapter Eight of the Revised Statutes.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 8, § 20, relating to money obtained from sale of timber and grass on reserved lands, amended.** Section twenty of chapter eight of the revised statutes is hereby amended by striking out all of said section after the word "treasury" in the fourth line thereof and inserting in place thereof the following: 'shall be held by the state treasurer in two separate funds the income of which only shall be expended and applied as it is by law provided for school purposes. Upon these funds the state shall allow interest annually at four per cent; the first fund to be known as the unorganized townships fund, the income of which, after the expenditures provided by

## CHAP. 261

sections one hundred fifteen and one hundred sixteen of chapter sixteen of the revised statutes, shall be added to the school equalization fund; the second fund to be known as the organized townships fund and dealt with as provided in the following section', so that said section as amended shall read as follows:

**'Sec. 20. Two funds created; rate of interest fixed; balance of income of one fund to be added to school equalization fund.** The money arising from the sale of timber and grass or from trespasses on reserved lands, paid into the treasury of the county in which the township is situated, or into the state treasury shall be held by the state treasurer in two separate funds the income of which only shall be expended and applied as is by law provided for school purposes. Upon these funds the state shall allow interest annually at four per cent; the first fund to be known as the unorganized townships fund, the income of which, after the expenditures provided by sections one hundred fifteen and one hundred sixteen of chapter sixteen of the revised statutes shall be added to the school equalization fund; the second fund to be known as the organized townships fund and dealt with as provided in the following section.'

**Sec. 2. R. S., c. 8, § 21, relating to management of fund derived from reserved lands, amended.** Section twenty-one of chapter eight of the revised statutes is hereby amended by striking out the first clause thereof and substituting these words: 'The income of the organized townships fund as provided in the preceding section shall be added to the principal of the fund respectively,' and by inserting after the word "fund" in the twelfth line the words 'at four per cent', so that said section as amended shall read as follows:

**'Sec. 21. Interest on organized townships fund added to principal; income at rate of four per cent paid to plantation when organized.** The income of the organized townships fund as provided in the preceding section shall be added to the principal of the funds, respectively, until the inhabitants of such township or tract are incorporated into a town or organized as a plantation, and establish in such plantation one or more schools, and until the first day of January next preceding the date upon which the treasurer of said plantation shall call for such interest, unless previously expended according to law. When any such township is incorporated as a town, said funds belonging to it shall be paid by the treasurer of state to the treasurer of the trustees of the ministerial and school funds therein, to be added to the funds of that corporation, and held and managed as other school funds of that town are required to be held and managed. If such township or tract is organized as a plantation, the interest of said fund at four per cent shall be paid annually by the treasurer of state to the treasurer of such plantation to be applied toward the support of schools according to the number of scholars in each school. Said interest shall be cast up to the first day of each January, by the treasurer of state. The state superintendent of public schools shall file a list of such plantations with the amount due for interest for the preceding year according to a record of such amounts to be furnished to him by the treasurer of state, in the office of the state auditor, who shall there

upon insert the name and amount due such plantations in the first warrant drawn in that year. The state superintendent of public schools shall be satisfied that all such plantations are organized, and that schools have been established therein according to law, that assessors are sworn and qualified, and that the treasurers of such plantations have given bonds as required by law.'

Approved April 7, 1917.

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## Chapter 262.

An Act Authorizing Municipal Officers to Appoint Examiners of Steam Engineers and Firemen.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Municipal examiners of steam engineers and firemen; appointment of.** The municipal officers of cities and towns shall annually in the month of April, or as soon as practical thereafter, appoint an examiner of steam engineers and firemen who has had not less than five years practical experience operating boilers and engines.

**Sec. 2. Operators must obtain certificates of competency; application. Exemption.** It shall be unlawful for any person or persons to operate a steam plant consisting of boiler and engine where the services of an engineer or fireman are required, without first obtaining a certificate of competency from said examiner; this act shall not apply to dwelling houses, apartment houses, and buildings where the steam plant is used for heating purposes only.

Any person intending to operate a steam plant except as herein provided shall make application in writing to the city clerk, who will notify him in writing when to appear for examination.

**Sec. 3. Licenses graded; qualifications and exemptions.** Licenses shall be granted as follows:

First grade, horse power unlimited.

Second grade, limited to five hundred horse power.

Third grade, limited to two hundred horse power.

Special grade, limited to engineers and firemen operating some special steam plant, and to night engineers and firemen, and to engineers handling donkey, hoisting and steam roller engines. A special license shall state for what purposes such license is issued and the location of the plant.

An engineer or fireman who has been granted a second grade certificate may operate a plant as specified in the first grade under direction of an engineer or fireman who has been granted a first grade certificate, and an engineer or fireman who has been granted a third grade certificate may operate a plant as specified in the second grade under direction of an engineer or fireman who has been granted a second grade certificate. All persons holding engineer's or fireman's licenses issued by the United States Local Inspectors of Steam Vessels shall be exempt from the provisions of

**CHAP. 262**

this act and this act shall not apply to buildings owned by the United States government.

**Sec. 4. Examination; fee; form of certificate. Original filed with clerk; certified copy furnished applicant.** An examiner's fee of two dollars for every applicant shall be paid to the city clerk when application is made. It shall be the duty of the city clerk to forward all applications to the examiner with the fee for the same. The examiner shall examine all applicants in writing, and shall issue a certificate in the following form, if the applicant is of temperate habits and has suitable competency:

**STATE OF MAINE.**

This is to certify that \_\_\_\_\_ having made application to the city clerk for permission to take charge of and to operate a steam plant, and having produced evidence of his competency to act in said capacity as \_\_\_\_\_  
I have issued to him this certificate as approved by law this day of \_\_\_\_\_

Said certificate when issued shall be filed in the office of the city clerk and said clerk shall issue and deliver to said applicant a duly attested copy of said certificate; and the copy so issued shall be posted by the holder thereof in a frame under glass in a conspicuous place in or near the boiler room of the steam plant to be operated.

**Sec. 5. Term of certificate.** The term of certificate shall be one year from date granted unless revoked as hereinafter provided.

**Sec. 6. Renewal of license, procedure. Applicant entitled to hearing when refused renewal. Duplicate in case of loss.** When an engineer or fireman shall apply for a renewal of his license for the same grade, the presentation of the attested copy of the original certificate shall be considered sufficient evidence of his title to renewal, which certificate shall be retained by the examiner upon the official files as the evidence upon which the license was renewed, and a new certificate shall be issued upon the payment of the fee of one dollar, unless such license has been forfeited, or unless facts shall have come to the knowledge of the examiner which would render a renewal improper. In such case the applicant shall be entitled to a hearing before the examiner. In case of loss or destruction of applicant's certified copy of his license, the city clerk shall by direction of the examiner, issue to the applicant a duplicate attested copy.

**Sec. 7. Incompetency; holder of certificate entitled to hearing. License may be revoked when charge sustained; notice to be given owners of plant. Temporary operator.** When the examiner receives notice in writing signed by ten or more residents of the city or town where the steam plant in question is located stating that in their opinion the person in charge of such steam plant is incompetent to discharge his duties, or by reason of negligence, intemperance or other cause, such person ought not to longer remain in charge of such steam plant, the said examiner may temporarily suspend the authority of such person to act in said capacity until the in-



vestigation and hearing as herein provided can be made, provided however, that said certificate shall not be permanently revoked until the said examiner shall have given a hearing to the person against whom a complaint has been filed, and shall have given him a written copy of said complaint at least forty-eight hours before said hearing is to be held. Said examiner shall immediately cause an investigation to be made as to the habits and qualifications of the person so complained of; and if such person is found to be incompetent to remain in charge of said steam plant, said examiner shall cause the certificate granted under the provisions of this act to be revoked, and notice of such revocation shall be filed with the city clerk; if the examiner shall after hearing revoke said license he shall then give the person or corporation having control of such plant notice of his findings. If after the receipt of such notice the person or corporation having control of such steam plant shall neglect or refuse to cause said steam plant to be placed in charge of some person qualified under the provisions of this act within a reasonable time thereafter, such person or corporation shall be subject to the penalties provided in section nine of this act. The person or corporation in control of a steam plant, in case of sickness, emergency or other good and sufficient reason, may temporarily employ some competent person, not holding a license as herein provided, to operate said plant for a period not exceeding two weeks.

**Sec. 8. Persons operating steam plant for one year exempt from examination.** Any engineer or fireman who has operated a steam plant for one year and who shall produce satisfactory evidence of the same, shall be entitled to a license to operate a steam plant of the same or lower grade without examination, upon payment of the fees prescribed for the granting of licenses by examination, and any engineer or fireman who now holds a license shall be entitled to receive a renewal of the same without examination.

**Sec. 9. Penalty for violations.** Whoever violates any provision of this act shall be punished by a fine not exceeding fifty dollars.

**Sec. 10. Not applicable to places of less than 40,000. Inconsistent acts and ordinances repealed.** This act shall not apply to cities and towns having less than forty thousand inhabitants. All ordinances of cities and towns and all acts inconsistent with the provisions of this act are hereby repealed.

Approved April 7, 1917.

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## Chapter 263.

An Act Amending Section Fourteen of Chapter Forty-one of the Revised Statutes, Increasing the License Fee for Itinerant Vendors.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 41, §. 14, relating to deposit with secretary of state by itinerant vendors, amended.** Section fourteen of chapter forty-one of the revised statutes is hereby amended by striking out the words "twenty-five" in the

**CHAP. 264**

fifth line thereof and substituting therefor the words 'one hundred', so that said section as amended shall read as follows:

**'Sec. 14. License fee increased from twenty-five to one hundred dollars.** Every itinerant vendor desiring to do business in this state shall deposit with the secretary of state the sum of five hundred dollars as a special deposit, and after such deposit, upon application in proper form and the payment of a further sum of one hundred dollars as a state license fee, the secretary of state shall issue to him an itinerant vendor's license, authorizing him to do business in the state in conformity with the provisions of this chapter for the term of one year from the date thereof. Every license shall set forth a copy of the application upon which it is granted. Such license shall not be transferable nor give authority to more than one person to sell goods as an itinerant vendor, either by agent or clerk or in any other way than in his own proper person, but any licensee may have the assistance of one or more persons in conducting his business, who may aid that principal but shall not act for or without him. No person shall be entitled to hold, or directly or indirectly receive the benefit of more than one state license at any one time, and any license obtained, held or used in violation of this act is void.'

Approved April 7, 1917.

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## **Chapter 264.**

**An Act to Amend Section Five of Chapter One Hundred forty-six of the Revised Statutes, Relative to Admittance and Charges for Patients at State Sanatoriums.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 146, §. 5, relating to admission of patients to state tuberculosis sanatoriums, amended.** Section five of chapter one hundred forty-six of the revised statutes shall be amended by striking out of the sixth to the eleventh lines the following:

"Whenever a patient is received for treatment in any of these state sanatoriums the charge for treatment shall not exceed five dollars per week. If upon due inquiry into the circumstances of a patient, the superintendent of a sanatorium finds such patient or his relatives unable to pay for his care and treatment in whole or in part, the charge for such care and treatment not so paid shall be laid upon the state," and by inserting in the same place the following:

'All patients in the state sanatoriums shall pay to the state the actual cost of such treatment including all board, supplies and incidentals; provided that the trustees of said sanatoriums may after a proper investigation of the financial circumstances of the patient, either before or after admission, if they find said patient or his or her relatives are unable to pay said cost in whole or in part, waive such cost charge or so much thereof as they deem the circumstances warrant and provided further, that said trustees in granting admissions to said sanatoriums, after giving consideration to the need of treatment by, and the menace to other persons of, the

prospective patient, shall not give preference to any person because of his ability to pay the whole or any part of said cost charge,' so that said section as amended shall read as follows:

**'Sec. 5. Preference not to be given in reception of patients to those able to pay; charge for treatment, actual cost.** Persons having legal residence in Maine shall be admitted to these sanatoriums from any part of the state; provided after due examination by any reputable physician or the superintendent of the sanatorium said person shall be found to be suffering from tuberculosis. All patients in the state sanatoriums shall pay to the state the actual cost of such treatment including all board, supplies and incidentals; provided that the trustees of said sanatoriums may, after a proper investigation of the financial circumstances of the patient, either before or after admission, if they find said patient or his or her relatives are unable to pay said cost in whole or in part, waive such cost charge or so much thereof as they deem the circumstances warrant and provided further, that said trustees in granting admissions to said sanatoriums after giving consideration to the need of treatment by and the menace to other persons of, the prospective patient, shall not give preference to any person because of his ability to pay the whole or any part of said cost charge. No discrimination shall be made in the accommodation, care or treatment of any patient because of the fact that the patient or his relatives do or do not contribute in whole or in part to the charge for treatment; and no officer or employee of such state sanatorium shall accept from any patient thereof any fee or gratuity whatever for any service rendered.'

Approved April 7, 1917.

## Chapter 265.

**An Act to Provide for the Transfer to the Reformatory for Women of Women Serving Sentences in the State Prison, Any County Jail or House of Correction.**

*Be it enacted by the People of the State of Maine, as follows:*

**Women serving sentence in state prison, county jail or house of correction, may be transferred to reformatory for women; provisions and procedure.** Upon petition of the trustees of the reformatory for women asking for the transfer to the reformatory for women of any woman serving sentence in the state prison, in any county jail, or in any house of correction, presented to the court or trial justice having imposed sentence, the judge or magistrate shall set a time for hearing, giving at least forty-eight hours' notice to said woman, and shall notify the custodian of said woman to bring said woman before him for hearing. After hearing, said judge or said magistrate may order said woman transferred to the reformatory for women to serve the remainder of the term of sentence under which said woman was committed to the state prison, county jail or house of correction. The provisions of chapter one hundred forty-two of the revised statutes in regard to original commitments to the reformatory shall apply to any transfer under this act, but in no case shall

## CHAP. 266

the time of sentence to be served in the reformatory exceed the remaining time of the sentence originally imposed. A woman transferred under this act shall be subject to the provisions of chapter one hundred forty-two of the revised statutes relating to the reformatory and to the same rules and regulations as inmates originally committed to the reformatory.

Approved April 7, 1917.

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## Chapter 266.

An Act to Amend Sections One and Twenty-two of Chapter Sixty-nine of the Revised Statutes, Relating to Succession Taxes.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 69, § 1, relating to property subject to inheritance tax, amended.** Section one of chapter sixty-nine of the revised statutes is hereby amended by striking out all of said section after the word "paid" in the forty-second line, so that said section as amended shall read as follows:

**'Sec. 1. Exemption of personal property of non-resident decedent, when his state imposes no like tax, repealed.** All property within the jurisdiction of this state, and any interest therein whether belonging to inhabitants of this state or not, and whether tangible or intangible, which shall pass by will, by the intestate laws of this state, by allowance of a judge of probate to a widow or child, by deed, grant, sale or gift, except in cases of a bona fide purchase for full consideration in money or money's worth, and except as herein otherwise provided, made or intended to take effect in possession or enjoyment after the death of the grantor, to any person in trust or otherwise, except to or for the use of any educational, charitable, religious or benevolent institution in this state, the property of which is by law exempt from taxation, shall be subject to an inheritance tax for the use of the state as hereinafter provided. Property which shall so pass to or for the use of (Class A) the husband, wife, lineal ancestor, lineal descendant, adopted child, the adoptive parent, the wife or widow of a son or the husband of a daughter of a decedent shall be subject to a tax upon the value of each bequest, devise or distributive share, in excess of the exemption hereinafter provided, of one per cent if such value does not exceed fifty thousand dollars, one and one-half per cent if such value exceeds fifty thousand dollars and does not exceed one hundred thousand dollars, and two per cent if such value exceeds one hundred thousand dollars; the value exempt from taxation to or for the use of a husband, wife, father, mother, child, adopted child or adoptive parent shall in such case be ten thousand dollars, and the value exempt from taxation to or for the use of any other member of (Class A) shall in each case be five hundred dollars. Property shall so pass to or for the use of (Class B) a brother, sister, uncle, aunt, nephew, niece or cousin of a decedent, shall be subject to a tax upon the value of each bequest, devise or distributive share in excess of five hundred dollars, and the tax of this class shall be four per cent of its value for the use of the state if such value does not exceed fifty thousand dollars, four and one-half per

## CHAP. 267

cent if its value exceeds fifty thousand dollars and does not exceed one hundred thousand dollars, and five per cent if its value exceeds one hundred thousand dollars. Property which shall pass to or for the use of any others than members of Class A, Class B and the institutions excepted in the first sentence of this section, shall be subject to a tax upon the value of each bequest, devise or distributive share in excess of five hundred dollars, and the tax of this class shall be five per cent of its value for the use of the state if such value does not exceed fifty thousand dollars, six per cent if its value exceeds fifty thousand and does not exceed one hundred thousand dollars and seven per cent if its value exceeds one hundred thousand dollars. Administrators, executors and trustees, and any grantees under such conveyances made during the grantor's life shall be liable for such taxes, with interest, until the same have been paid.'

**Sec. 2, R. S., c. 69, § 22, relating to taxation of property of non-resident decedents, amended.** Section twenty-two of chapter sixty-nine of the revised statutes is hereby amended by striking out all of said section before the word "non-resident" in the sixth line and inserting in place thereof the words 'Where a', so that said section as amended shall read as follows:

**'Sec. 22. Provision relating to property subject to like tax in state or county of decedent, repealed.** Where a non-resident decedent has more than one heir or his property is divided among more than one legatee, each heir, or in case of a will, each legatee shall be held to receive such proportion of the property within the jurisdiction of this state as the amount of all property received by him as such heir or legatee bears to all the property of which said decedent died possessed. The amount of property of the estate of a non-resident which shall be exempt from the payment of an inheritance tax under section one shall be only such proportion of the whole exempted amount which is provided therein for the estates of resident decedents as the amount of the estate of the non-resident actually or constructively in this state bears to the total value of the non-resident decedent's estate wherever situated.'

**Sec. 3. Provisions as to exemption of stock and bonds of Maine corporations, repealed.** Section twenty-four of chapter sixty-nine of the revised statutes is hereby repealed.

Approved April 7, 1917.

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## Chapter 267.

An Act to Amend Section Twenty-three of Chapter One Hundred and Fifteen of the Revised Statutes, Granting Jurisdiction of Poor Debtor Disclosure Matters to Municipal Courts.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 115, § 23, relating to disclosure by judgment debtors, amended.** Section twenty-three of chapter one hundred and fifteen of the revised statutes, is hereby amended as follows: by inserting after the word "affairs" in the eighth line thereof, the following: 'And a judge of any municipal court

**CHAP. 268**

may hold disclosure court upon a subpoena returnable as aforesaid in any town in which the regular terms of the court of which he is judge are held,' so that said section as amended shall read as follows:

**'Sec. 23. Municipal court judge may hold disclosure court in any town in which his regular terms of court are held.** Such magistrate shall thereupon issue under his hand and seal a subpoena to the debtor commanding him to appear before any such disinterested magistrate within said county in the town in which the debtor, the petitioner or his attorney resides, and in case there is no such magistrate in the town where the debtor, petitioner or his attorney resides then in the shire town of said county, at a time and place therein named to make full and true disclosure, on oath, of all his business and property affairs. And a judge of any municipal court may hold disclosure court upon a subpoena returnable as aforesaid in any town in which the regular terms of the court of which he is judge are held. The application shall be annexed to the subpoena. Any town in which the regular sessions of the supreme judicial court are held, shall be considered a shire town for the purpose of this section. No application or subpoena shall be deemed incorrect for want of form only, or for circumstantial errors or mistakes, when the person and the case can be rightly understood. Such errors and mistakes may be amended on application of either party.'

Approved April 7, 1917.

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## Chapter 268.

**An Act Allowing Dentists to Employ Women Assistants who shall be known as Dental Hygienists.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Dental hygienists; powers and duties; license of registered dentist to be revoked for violation.** Any registered or licensed dentist may employ women assistants who shall be known as dental hygienists. Such dental hygienists may remove lime deposits, accretions and stains from the exposed surfaces of the teeth and directly beneath the free margin of the gum, but shall not perform any other operation on the teeth or mouth or on any diseased tissues of the mouth. They may operate in the office of any registered or licensed dentist or in any public or private institution under the general supervision of a registered or licensed dentist. The state board of dental examiners may revoke the license of any registered or licensed dentist who shall permit any dental hygienists operating under his supervision to perform any operation other than that permitted under the provisions of this section.

**Sec. 2. Examination; qualifications.** No person shall enter practice as a dental hygienist in this state until she has passed an examination given her by the board of dental examiners of this state, or a sub-committee of said board which it may appoint, under such rules and regulations as it may deem fit and proper to formulate. The fee for said examination shall be ten

## CHAP. 269

dollars and any applicant failing to pass said examination shall be entitled to one additional examination without further cost. The fee for each re-examination after the first shall be five dollars. The said board of dental examiners shall issue certificates of ability to practice as dental hygienists in this state to those who have passed said examination, provided, however, that no person shall be entitled to such certificate unless she shall be eighteen years of age, of good moral character and shall have had an education equivalent to that attained by one year's attendance upon the class A high schools of this state as defined by section seventy-three of chapter sixteen of the revised statutes and unless she is a graduate of a reputable training school for dental hygienists or shall present a sworn statement by a dentist licensed to practice dentistry in his state that she has completed a course of at least six months' training as a dental hygienist under him.

**Sec. 3. Dental hygienists licensed in another state may receive certificate without examination; fee and proof required.** The board of dental examiners of this state may at its discretion without the examination as herein above provided, issue its certificate to any applicant therefor who shall furnish proof satisfactory to said board that she has been duly licensed to practice as a dental hygienist in another state after full compliance with the requirements of its dental laws; provided however, that her professional education shall not be less than that required in this state. Every certificate so given shall state upon its face the grounds upon which it is granted and the applicant may be required to furnish her proof upon affidavit. The fee for such certificate shall be ten dollars.

**Sec. 4. Inconsistent statutes repealed.** All acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 7, 1917.

## Chapter 269.

An Act Relating to Qualification of Judges of Municipal and Police Courts.

*Be it enacted by the People of the State of Maine, as follows:*

**Judge of municipal court to be member of bar.** No person shall be eligible for appointment as judge of any municipal or police court unless he shall be a member of the bar in the county in which such court is located.

Approved April 7, 1917.

## Chapter 270.

An Act to Amend Section Fifty-five of Chapter Thirty of the Revised Statutes, Relating to the Amount to be Expended by the Insurance Commissioner in Investigating Fires.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 30, § 55, relating to investigation by insurance commissioner of origin of fires, amended.** Section fifty-five of chapter thirty of the revised

**CHAP. 271**

statutes is hereby amended by striking out all of said section after the word "exceed" in the fifth line and before the word "and" in the ninth line of said section and inserting in place therefor the words "two thousand dollars," so that said section as amended shall read as follows:

**'Sec. 55. Commissioner's expenditure not to exceed \$2,000 annually.** The insurance commissioner may employ such clerks and assistants, provide such blanks and incur such expense, as may be necessary to carry out his duties in investigating or causing to be investigated the origin of fires and the inspection of buildings and property, not to exceed two thousand dollars and all bills and expenses incurred shall be audited by the state auditor.'

Approved April 7, 1917.

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## **Chapter 271.**

**An Act to Provide for the Recording of Discharges of Attachments by Registers of Deeds.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 86, § 71, relating to dissolution of attachments, amended.** Section seventy-one of chapter eighty-six of the revised statutes is hereby amended by adding thereto the following:

**'Register of deeds to make minute on margin of record within one hour after delivery of certificate.** Within one hour after the delivery of such certificate to him, the register shall also make a minute of the same on the margin of the record of the attachment.'

Approved April 7, 1917.

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## **Chapter 272.**

**An Act to Require Certain Vehicles to Carry Lights at Night and to Control the Glare of Head Lights.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Vehicles to carry lights; exceptions.** Every vehicle on wheels, whether stationary or in motion, on any public way or bridge, shall have attached to it a light or lights so displayed as to be visible from the front and the rear thereof during the period from one hour after sunset to one hour before sunrise; provided, however, that this act shall not apply to any vehicle which is designed to be propelled by hand, or any vehicle designed for the transportation of hay, straw, wood, lumber, stone, machinery or other heavy freight, nor shall it apply to any form of vehicle whatsoever while upon any bridge or highway where street lights are maintained at a distance of five hundred feet apart or less.

**Sec. 2. Penalty for violators refusing to give name and address to officer.** Whoever while driving or in charge of any vehicle not lighted as re-



quired by any of the provisions of this act, shall fail or refuse when requested by a sheriff or his deputy, a constable or a police officer, to give his correct name and address, shall be liable to the penalty provided in this act.

**Sec. 3. Headlights on electric cars and motor vehicles; public utilities commission to prescribe regulations; provisions.** The public utilities commission shall prepare rules and regulations from time to time governing the use and operation of headlights on electric cars and lights on motor vehicles used on public highways, and prescribe penalties for violation thereof and may from time to time alter, rescind or add to any rules and regulations previously made by it. The rules and regulations of the commission and any changes therein shall take effect when approved by the governor and council and published at least once in each daily newspaper in the state.

**Sec. 4. Penalty for violations.** Whoever fails to comply with any of the provisions of this act relative to the use of lights shall be liable to a penalty not exceeding five dollars for each offense.

**Sec. 5. Inconsistent statutes repealed.** All acts or parts of acts inconsistent with this act are hereby repealed

Approved April 7, 1917.

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## Chapter 273.

An Act in Relation to Suits in Court, the Parties whereto being in the Military Service of the United States, or of this State.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Suits in court against persons in Federal service to be continued; exceptions.** Any action of contract or review now pending, or which may be commenced against any person, who is or shall be mustered into the service of the United States, or of this state, during the present war, shall at the request of the defendant be continued without cost to either party till his term of service shall expire; provided that the provisions of this act shall not apply to suits and proceedings upon official bonds, or actions where the party mustered into the service of the United States, or of this state, is liable jointly with a partner or person not in such service, nor to any action where the court may be satisfied that great injustice would be done by such continuance.

**Sec. 2. Exemption of personal property from attachment.** Personal property to the amount of one thousand dollars, other than that held in partnership as above, and other than whereon attachment had been made upon mesne process prior to the date of enlistment of the defendant, in addition to that already exempted by law, shall be exempt from attachment or seizure upon execution from and after the date of such enlistment in the service aforesaid, and during his term of service, to be designated by the defendant, or his agent or attorney.

## CHAP. 274

**Sec. 3. When person in United States service is plaintiff.** In all cases in court, or which may be entered in court, during such term of service where a person mustered into the service of the United States, or of this state, is plaintiff, the court at his request may continue such case, as long as the court may think justice would require, and without costs to either party.

**Sec. 4. Statute of limitations suspended.** During his absence from the state, and while continuing in the service of the United States, the operation of any statute of limitations shall be suspended in all matters in which suits may arise in which a person mustered into such service may be either plaintiff or defendant.

Approved April 7, 1917.

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## Chapter 274.

An Act to Provide for the Appointment of Special Deputy Sheriffs.

**Emergency preamble.** Whereas, in order to protect and guard the lives and property of the citizens of the state, the appointment of special deputy sheriffs is necessary and is an emergency measure immediately necessary for the public peace, health and safety, now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Special deputies; sheriffs may appoint in war time, or when war is imminent; personal liability.** Whenever a state of war shall exist or be imminent between the United States and any foreign country, sheriffs may appoint male citizens more than eighteen years of age not eligible for military service as special deputies who shall have and exercise all the powers of deputy sheriffs appointed under the general law except the service of civil process. Such special deputies shall be personally responsible for any unreasonable, improper or illegal acts committed by them in the performance of their duties, but the sheriffs shall not be liable upon their bonds, or otherwise, for any neglect or misdoings of such deputies.

**Sec. 2. Notification of appointment; compensation.** Any sheriff appointing such special deputy sheriffs shall notify the clerk of courts and the county commissioners for the county in which such appointments are made giving the names of such deputies and the date of their appointments and such county commissioners shall fix and order paid from the treasury of the county to such deputies a reasonable compensation, not exceeding three dollars and fifty cents per day for the time actually employed together with actual and necessary expenses incurred in the performance of duty.

**Sec. 3. Date when effective.** In view of the emergency cited in the preamble hereof, this act shall take effect when approved.

Approved April 7, 1917.

## Chapter 275.

An Act Authorizing the Taking of Land for Forts, and Other Purposes.

**Emergency preamble.** Whereas, in order to provide adequate means of defense and to discharge the obligations of the State of Maine to the Government of the United States, an act authorizing the taking of land for military purposes and the ceding thereof to the federal government is immediately necessary for the preservation of the public peace, health and safety :

*Be it enacted by the People of the State of Maine, as follows :*

**Sec. 1. State may take land on which to erect fortifications, etc.; may cede to United States.** The governor by advice of the council, is hereby, authorized and empowered, to take in the name of the state, by purchase, lease or deed, or in the manner herein denoted, any land or lands, or rights of way, for the purpose of erecting, using or maintaining any fort, fortification, arsenal, or other military structure or establishment, military connection, way or railroad, with all necessary rights, powers and privileges incident to the use thereof, whenever the governor by and with the advice of the council, may determine that the public exigencies require it; and by and with the advice of the council, he may deliver possession, and cede the jurisdiction thereof to the United States, on such terms and conditions as they deem expedient.

**Sec. 2. Procedure.** When the governor and council determine that a public exigency requires the taking of any land or rights as aforesaid, they shall cause the same to be surveyed, located and so described, that the same can be identified, and a plan thereof, with a copy of the order in council, to be filed in the office of the secretary of state, and there recorded. The filing of said plan and copy shall operate to vest the title in the land and rights aforesaid in the State of Maine, or their grantees, to be held during the pleasure of the state, and if transferred to the United States, during the pleasure of the United States.

**Sec. 3. Compensation to owner.** The owner of any land or rights, taken as aforesaid, shall have a just compensation therefor, to be determined as provided for the determination for damages for land taken for highway purposes.

**Sec. 4. Time limitation.** The powers herein granted are limited to the first day of March, nineteen hundred nineteen, after which time they cease.

**Sec. 5. When effective.** In view of the emergency expressed in the preamble hereof, this act shall take effect when approved.

Approved April 7, 1917.

## Chapter 276.

An Act to Provide for the Support of Families of Volunteers.

**Emergency preamble.** Whereas, suitable provision for the support of dependent members of families of soldiers and sailors in the service of the United States or of this state in the present condition of war is immediately necessary for the preservation of the public peace, health and safety ;

*Be it enacted by the People of the State of Maine, as follows :*

**Sec. 1. Towns to aid dependent families of soldiers; how money shall be expended; families of soldiers discharged for disability included.** The cities, towns and plantations in this state shall raise money by taxation or otherwise, to be applied to aid in the support of the wife, aged, infirm and dependent father, mother, or other member of the household of which a soldier, sailor or marine is the head, and children under the age of fifteen years, being inhabitants of such city, town or plantation, of any soldier, sailor or marine, who may be actually in the military or naval service of the United States or of this state in any recognized company, battalion or regiment of the United States or of this state, or on board of any vessel of the United States during the present war, the money so raised to be expended under the direction of the municipal authorities of said cities, towns and plantations as herein prescribed; there shall be paid in money the sum of four dollars per week for a wife, aged, infirm and dependent father, mother or other member of the household and one dollar and fifty cents per week for each child, under the age of fifteen years, dependent upon such soldier, sailor or marine; provided, however, that the sum so paid shall not in any case exceed ten dollars per week for all the persons dependent on one soldier, sailor or marine, and such aid shall be furnished to such persons as are herein authorized to receive it belonging to the family of any such soldier, sailor or marine killed in battle or by the casualties of war; and such aid may, at the discretion of the municipal authorities be furnished to the persons herein authorized to receive it, belonging to the family of any such soldier, sailor or marine who may be discharged from the service in consequence of any disability resulting from the casualties of war and not from his own fault, or who may be disabled as aforesaid and discharged in consequence of the expiration of the time of service, for a period not exceeding one year after such death or discharge; provided, that in case of discharge he shall not sooner recover from such disability.

**Sec. 2. Cases not provided for; additional appropriation authorized.** The cities, towns and plantations in this state are hereby authorized and empowered to raise any additional sum or sums of money over and above the amount to be reimbursed by the state, by taxation or otherwise, to aid in the support of the dependent family of such soldier, sailor or marine in the service of the United States, or of this state, as set forth in the first section of this act, in order to provide such support as may be deemed necessary in cases not met or adequately provided for by the provisions of this act.

**Sec. 3. Reimbursement by the state.** The money so applied by any city, town or plantation, as authorized by the first section of this act, shall be reimbursed from the state treasury to such city, town or plantation.

**Sec. 4. Towns to file certified accounts.** No such reimbursement shall be made in any case, until an account of the expenditures, duly certified and sworn to by a majority of the proper municipal authorities of the city, town and plantation in the state, furnishing the aid as aforesaid, shall be made and filed with the governor and council, which account shall set forth the name of the soldier for whose family expense has been incurred, also the name, age and relationship of each person who received aid and the sum paid for each of said persons. Accounts thus made out and filed within the time hereinafter prescribed, shall be examined by the governor and council, and if found correct and duly vouched shall be approved.

**Sec. 5. When accounts shall be made up and filed by municipal officers; fund available.** Such accounts shall be made up to the first days of July and January in each year, and shall be filed with the governor and council on or before the first days of August and February following and shall be examined and passed upon within thirty days after the date of such filing. If approved, the amounts allowed shall be paid, upon warrants drawn by the governor against any moneys in the treasury not otherwise appropriated and especially the proceeds of bonds or notes authorized by this legislature for war purposes, by the state treasurer to the city, town or plantation whose claim has been thus established.

**Sec. 6. Shall not be deemed paupers.** No pauper disabilities shall be created by reason of receiving the aid provided for in this act.

**Sec. 7. Unorganized townships; where aid may be received.** The word plantation, when it occurs in this act, is intended to include plantations duly organized for any purpose, and any person entitled to the aid provided for in this act, who may reside in any unorganized township in this state, shall receive it in the nearest duly organized city, town or plantation in this state.

**Sec. 8. Exceptions.** This act shall not authorize reimbursing money applied to aid the wife, child, parent or dependent member of the household as aforesaid, of any commissioned officer in the military or naval service as aforesaid, or money applied to aid the family of any soldier, sailor or marine who may desert the service after notice of such desertion shall be received by the city, town or plantation of his residence.

**Sec. 9. Governor and council may require persons to appear before them.** The governor and council shall have power to send for persons and papers in order to ascertain the amount due to each city, town and plantation under this act.

**Sec. 10. Failure of towns to comply; penalty.** If any city, town or plantation, or the municipal officers thereof, shall neglect or refuse to comply with the provisions of this act according to its true intent and meaning, and to the satisfaction of the governor and council, such city, town or

**CHAP. 277**

plantation, or the municipal officers thereof, as the case may be, shall forfeit and pay the sum of one hundred dollars, one half to the use of the aggrieved party and one half to the county where the cause is tried, to be recovered by an action on the case in any court proper to try the same.

**Sec. 11. Aid not forfeited by temporary absence.** Any one of the persons named in the first section of this act, as entitled to aid, who shall be temporarily absent from the state or town without abandoning residence therein, shall receive the aid herein specified, provided application shall be made therefor to the municipal officers of the city, town or plantation of their residence.

**Sec. 12. Towns to be notified by adjutant general of cases of desertion; also of promotion of non-commissioned officers.** It shall be the duty of the adjutant general to give notice in all cases of desertions, to the several cities, towns and plantations of the state, of each soldier, sailor or marine residing therein and also in all cases of return from desertion, and also when any non-commissioned officer or private shall be promoted to the rank of a commissioned officer, as soon as he shall receive the knowledge of such promotion, such notice being in each case a simple statement of fact.

**Sec. 13. Secretary of state to furnish towns with attested copy.** The secretary of state shall furnish an attested copy of this act to the municipal officers of the several cities, towns and plantations of the state, within twenty days after its approval by the governor.

**Sec. 14. When effective.** In view of the emergency expressed in the preamble hereof, this act shall take effect when approved.

Approved April 7, 1917.

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## Chapter 277.

**An Act to Provide State Pay for Soldiers and Sailors in the Volunteer Service of the United States.**

**Emergency preamble.** Whereas the pay allowed by the national government to enlisted men under existing laws and regulations is not sufficient to adequately recompense the volunteers and,

Whereas, increased pay for the soldiers and sailors enlisted in the National Guard of Maine or in the naval service of the United States is immediately necessary for the preservation of the public peace, health and safety in the present condition of war and until the pay allowed by the national government is increased,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. State to supplement pay of non-commissioned officers, soldiers and sailors; provisions.** There shall be allowed and paid out of the treasury of the State of Maine to each non-commissioned officer, soldier, sailor

and marine mustered into the military service of the United States as a part of the quota of the state or enrolled in the naval service for service in the United States or in any foreign country, a sum not in excess of ten dollars a month, as may be necessary, in order that every such non-commissioned officer, soldier or sailor shall receive from the United States and this state in the aggregate the sum of twenty-five dollars per month.

Said amount shall be payable monthly at the office of the adjutant general, and shall date from the enrollment or muster-in to the United States service of said non-commissioned officer, soldier, sailor or marine, and shall continue until the first day of March, nineteen hundred and nineteen, unless the service is sooner terminated. The supply officer of each organization shall submit to the adjutant general payrolls certified to by him as correct, and the amount found necessary as above shall be paid by the adjutant general by check to the enlisted man, or if he so directs in writing, to any member of his family.

**Sec. 2. Authorization of expenditure.** For the purpose of meeting the expenses authorized by this act, the governor is hereby authorized to draw his warrant for said expenses against any moneys in the treasury not otherwise appropriated.

**Sec. 3. When effective.** In view of the emergency expressed in the preamble hereof, this act shall take effect when approved.

Approved April 7, 1917.

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## Chapter 278.

An Act to Provide for the Organization of the Maine Home Guard, During the Continuance of the War with Germany.

**Emergency preamble.** Whereas, during the present war with Germany, the creation and maintenance of an organized Home Guard separate and distinct from the National Guard of the State of Maine, is immediately necessary for the preservation of the public peace, health and safety,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Maine Home Guard.** The commander-in-chief may, during the continuance of the war with Germany, raise by voluntary enlistment and organize the Maine Home Guard from among the citizens of the United States over thirty-five years of age, who are inhabitants of this state.

**Sec. 2. Organization, powers, duties and compensation.** The home guard may be of such numbers, and shall be so organized, maintained, officered, armed, and equipped, and enlisted for such service within the state, for such time and on such terms as the commander-in-chief may by executive order determine from time to time. When called for service the home guard shall have such duties as shall be established by order of the commander-in-chief, and all members of the home guard shall have and exer-

**CHAP. 279**

cise throughout the state all the powers of constables, except the service of civil process, and all the powers of police officers and watchmen. The compensation of officers and men of the home guard, when called by executive order for service and while on such service, shall be fixed by the commander-in-chief, and shall in no event exceed the compensation of officers and men of the national guard of like grade.

**Sec. 3. Officers; appointment and authority.** The commander-in-chief may appoint officers for such units and organizations of the home guard as he may establish, and such officers shall, subject to removal by the commander-in-chief unless and until their successors are appointed, as provided by the statutes of the state, exercise the same military authority over their several commands as that specified by the statutes of Maine for duly chosen officers of organized militia of the state.

**Sec. 4. Certain sections of military law not applicable.** The provisions of paragraphs one hundred sixteen and one hundred twenty-seven of the Act to Revise the Military Law of nineteen hundred seventeen, shall not apply to the home guard herein provided for.

**Sec. 5. Provisions, relative to compensation of national guard injured in service, applicable.** All provisions of law relative to the compensation of members of the national guard injured in the discharge of their duty shall apply to members of the Maine Home Guard.

**Sec. 6. When effective.** In view of the emergency expressed in the preamble hereof, this act shall take effect when approved.

Approved April 7, 1917.

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## Chapter 279.

An Act to Amend Section Forty-five of Chapter One Hundred and Seventeen of the Revised Statutes, and Relating to Clerk Hire in Certain Aroostook County Offices and Certain Expenses of the Aroostook Clerk of Courts.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 45, relating to clerk hire in county offices, amended.** Section forty-five of chapter one hundred seventeen of the revised statutes is amended in the third paragraph thereof, so as to read as follows:

**'Increase in office of register of deeds, southern district; also in office of clerk of courts; expenses for clerk of courts and subordinates for attendance at Caribou court.** In Aroostook county; for clerks in the office of register of deeds of the northern district, five hundred dollars; for clerks in the office of register of deeds in the southern district, one thousand seven hundred dollars; for clerks in the office of register of probate, six hundred twenty-four dollars; for clerks in the office of clerk of courts, one thousand eight hundred dollars, and for expenses of the clerk of courts and his subordinates while attending the sessions of the supreme judicial court at Caribou, such sums as allowed by the court.'

Approved April 7, 1917.



## Chapter 280.

An Act to Amend Section Seventy-six of Chapter Eighty-two of the Revised Statutes Relative to Price of Maine Reports.

*Be it enacted by the People of the State of Maine, as follows:*

R. S., c. 82, § 76, relating to duties of reporter of decisions, amended. Section seventy-six of chapter eighty-two of the revised statutes is hereby amended by striking out in the eighth line of said section after the words "price of" the words "one dollar and seventy-five" and inserting in place thereof the words 'two dollars and fifty,' so that said section as amended shall read as follows:

'Sec. 76. Price of Maine reports increased from \$1.75 to \$2.50. The reporter of decisions shall, by his personal attendance at law court when practicable, or by the best other means in his power, prepare correct reports of all legal questions argued and decided, reporting cases more or less at large according to his judgment of their importance. He shall publish at least one volume yearly, provided he has material enough to make a volume of the size required by this section, and furnish the usual number of current copies to the state and to the public at the price of two dollars and fifty cents a volume. Each volume shall be of the average size of volume eighty-three, Maine Reports, and be equal thereto in paper, printing, binding, general finish and quantity of printed matter. The reporter may, from time to time, as he sees fit, make a written contract in his own name with any person, firm or corporation for the printing, publishing and binding of said reports and shall require such person, firm or corporation to give a good and sufficient bond with good and sufficient sureties, conditioned for the faithful performance of all the terms and conditions of such contract by the person, firm or corporation with whom the reporter makes such contract. In case of a breach of any or all the conditions of such bond, the reporter may maintain an action on such bond in his own name.'

Approved April 7, 1917.

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## Chapter 281.

An Act to Amend Sections Forty and Forty-two of Chapter Forty-five of the Revised Statutes, Relating to Inspection and Transportation of Lobsters.

*Be it enacted by the People of the State of Maine, as follows:*

Sec. 1. R. S., c. 45, § 40, relating to arrangement for inspection of lobsters before shipping, when place of business has been changed, amended. Section forty of chapter forty-five of the revised statutes is hereby amended by striking out the whole of said section and inserting in lieu thereof the following:

'Sec. 40. Discretionary with commissioner as to making arrangement for inspection before shipment. Subject to inspection in transit. When-

## CHAP. 281

ever the commissioner shall receive from any person, firm, association or corporation that now has or hereafter may open such place of business, or may change said place of business after once it is established, the notice referred to in the preceding section, he shall, if in his judgment it is practicable to do so, arrange with said person, firm, association or corporation for the suitable inspection of lobsters before shipment from said place of business, and cause such lobsters to be inspected; but unless such arrangements are made all lobsters shall be subject to examination in transit.'

**Sec. 2. R. S., c. 45, § 42, relating to the inspection of lobsters after packing, amended.** Section forty-two of said chapter forty-five is hereby amended by inserting after the word "thereof" in the second line the words 'and if inspected each barrel, box or package containing lobsters so inspected shall bear some mark to be prescribed by the commissioner indicative of such inspection;' by inserting after the word "section" in the third line the words 'if bearing the mark indicative of inspection prescribed by the commissioner;' by inserting after the word "marked" in the eighth line the words 'as required by the provisions of the preceding section;' and by striking out the word "less" in the ninth and tenth lines and inserting in lieu thereof the word 'other' so that said section as amended shall read as follows:

**'Sec. 42. Inspected packages to bear indicative mark prescribed by commissioner; live lobsters seized, other than prescribed length, to be liberated; others forfeited.** All lobsters so packed shall be open to the inspection of the commissioner or his wardens, at or before the time of the packing thereof, and if inspected each barrel, box or package containing lobsters so inspected shall bear some mark to be prescribed by the commissioner indicative of such inspection; but after the same are packed and marked, as required by the preceding section, if bearing the mark indicative of inspection prescribed by the commissioner and by the shipper delivered to the transportation company the said barrels, boxes or packages shall not be opened for inspection by anyone without the consent of the shipper; and in case of seizure by any duly authorized officer, of any barrels, boxes or other packages in transit, containing lobsters which are not so marked as required by the provisions of the preceding section, or in case of seizure by such officer, of barrels, boxes or other packages, containing lobsters, other than the prescribed length, such lobsters as are alive and other than the prescribed length shall be liberated, and all such lobsters as are of the prescribed length, found in such barrels, boxes or packages shall be forfeited and disposed of under the provisions of section forty-seven.'

Approved April 7, 1917.

## Chapter 282.

An Act to Amend Section Ten of Chapter Ninety-nine of the Revised Statutes,  
Relative to Leases.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 99, § 10, relating to recovery of sums due for rent and damages, amended.** Section ten of chapter ninety-nine of the revised statutes is hereby amended by adding thereto the following:

'But no action or suit at law in assumpsit, debt, covenant broken or otherwise, shall be maintained for any sum or sums claimed to be due for rental or for any claim for damages for the breach of any of the conditions claimed to be broken on the part of the lessee, his legal representatives, assigns or tenant, contained in a lease or written agreement to hire or occupy any building, buildings or part of a building, during a period when such building, buildings or part of a building, which the lessee, his assigns, legal representatives or tenant may occupy or have a right to occupy, shall have been destroyed or damaged by fire or other unavoidable casualty, so that the same shall be thereby rendered unfit for use or habitation, and no agreement contained in a lease of any building, buildings or part of a building or in any written instrument, shall be valid and binding upon the lessee, his legal representatives or assigns, to pay the rental stipulated in said lease or agreement, during a period when the building, buildings or part of a building described therein shall have been destroyed or damaged by fire or other unavoidable casualty, so that the same shall be rendered unfit for use and habitation,' so that said section when amended shall read as follows:

**'Sec. 10. Buildings damaged by fire or other casualty; actions not to be maintained.** Sums due for rent on leases under seal or otherwise, and claims for damages to premises rented, may be recovered in an action of assumpsit on account annexed to the writ, specifying the items and amount claimed, but no action or suit at law in assumpsit, debt, covenant broken or otherwise, shall be maintained for any sum or sums claimed to be due for rental or for any claim for damages for the breach of any of the conditions claimed to be broken on the part of the lessee, his legal representatives, assigns or tenant, contained in a lease or written agreement to hire or occupy any building, buildings or part of a building, during a period when such building, buildings or part of a building, which the lessee, his assigns, legal representatives or tenant may occupy or have a right to occupy, shall have been destroyed or damaged by fire or other unavoidable casualty, so that the same shall be thereby rendered unfit for use or habitation; and no agreement contained in a lease of any building, buildings or part of a building or in any written instrument, shall be valid and binding upon the lessee, his legal representatives or assigns, to pay the rental stipulated in said lease or agreement, during a period when the building, buildings or part of a building described therein shall have been destroyed or damaged by fire or other unavoidable casualty, so that the same shall be rendered unfit for use and habitation.'

Approved April 7, 1917.

## Chapter 283.

An Act to Amend Section Seventy-two of Chapter Eighty-two of the Revised Statutes Increasing the Annual Appropriation for the Attorney General's Department.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 82, § 72, relating to appropriations for attorney general's department, amended.** Section seventy-two of chapter eighty-two of the revised statutes is hereby amended by striking out the word "fifteen" in the second line of said section and inserting in place therefor the words 'seventy-five,' also by adding 'the attorney general shall, at the request of any state department, make or cause to be made investigation in behalf of such department and he shall also prosecute any case to such extent as may seem advisable; and the expense of such investigation and prosecution shall be charged to this appropriation,' so that as amended said section seventy-two shall read as follows:

**'Sec. 72. Increased from \$1,500 to \$7,500; shall make investigations for any state department and prosecute cases.** For said purpose the sum of seventy-five hundred dollars shall be appropriated each year, and so much thereof as may be necessary, may be expended under the direction of the attorney general. The governor and council may draw their warrants from time to time, for the expenditure of said sum, upon the presentation of bills properly avouched by the attorney general. The attorney general shall at the request of any state department, make or cause to be made investigations in behalf of such department and he shall also prosecute any case to such extent as may seem advisable; and the expense of such investigation and prosecution shall be charged to this appropriation.'

Approved April 7, 1917.

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## Chapter 284.

An Act to Provide for the Better Defence of the State and for the Discharge of its Duties towards the National Defence.

**Emergency preamble.** Whereas, conditions now exist within our state and nation which require an organization to be used at the discretion of the governor to insure and continue the domestic peace and especially to protect bridges, water powers, factories and other structures which might be made the especial objects of attack, and

Whereas, such a measure is immediately necessary for the preservation of the public peace, health and safety,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Special powers delegated to governor for defense of state in time of war.** For the purpose of suppressing insurrection, repelling invasion and for purposes of war and in order that he may be able effectively to dis-

charge the duty imposed upon him by the constitution, to provide for the safety and defense of the state and for the discharge of its duties toward the national defense as one of the United States during the existence of a condition or state of war between the United States and any foreign country, the governor shall have the following powers in addition to those now vested in him under the constitution and existing laws.

**Sec. 2. Special constables; appointment, organization, compensation, etc.** Whenever he deems it expedient for the safety of the state or the protection of all or any of the persons or property therein, he may enroll as many special constables as he may deem necessary, prescribe their compensation, may provide by regulation for their organization, equipment, time of service and duties, and may appoint from their number suitable persons to act as officers of such special constables, and may prescribe the powers and duties of such officers in respect to their several commands.

**Sec. 3. Powers and duties of special constables.** Special constables appointed under section two of this act shall have and exercise throughout the state all the powers of constables, (except the service of civil process), and all the powers of police officers and watchmen.

**Sec. 4. Constables injured on duty; compensation.** All provisions of law relative to the compensation of members of the militia injured in the discharge of their duty shall apply to special constables enrolled under the provisions of this act.

**Sec. 5. Governor given power to commandeer; owner to be compensated.** Whenever the governor shall believe it necessary or expedient for the purpose of better securing the public safety or the defense of the state, he may take possession:

- (a) of any buildings, machinery or equipment,
- (b) of any horses, carriages, automobiles, aeroplanes, rolling stock of steam or electric railroads or of street railways, wharves, ships, boats or any other means of conveyance,
- (c) of any provisions for man or beast, and any fuel, gasoline or other means of propulsion, which may be necessary or convenient for the use of the military or naval forces of the state or of the United States, or for the better protection of the state or its inhabitants. He may use and employ all property so taken possession of for the service of the state, for such times and in such manner as he shall deem for the interests of the state. He may award reasonable compensation to the owners of any property of which he may take possession under the provisions of this section and for its use, and for any injury thereto or destruction thereof caused by such use.

**Sec. 6. Owner aggrieved as to compensation may appeal; procedure.** Any owner of property of which possession has been taken under section four of this act, who is dissatisfied with the amount awarded him by the governor as compensation, may file a petition in the supreme court in term time or vacation, to have the amount to which he is entitled by way of damages determined, and the supreme judicial court shall have jurisdiction of all claims arising under said section four. Such claims may be enforced by

**CHAP. 284**

petition stating clearly and concisely the nature of the claim and the damages demanded, and such petition shall be certified by the sheriff of the county of Kennebec or any of his deputies by leaving an attested copy thereof in the hands or in the office of the attorney general and a like copy in the hands or in the office of the secretary of state, thirty days at least before the return date thereof.

**Sec. 7. Petition for readjustment of damages; when and where filed.** The petition provided for under section five of this act may be filed either in the county in which the petitioner lives or has his usual place of business, or if the petitioner either lives or has a usual place of business in the state, or in the county of Kennebec. Said petition shall be brought within one year from the date when possession of the property was taken under section four of this act and the supreme judicial court shall proceed thereon under its rules already in effect and to be adopted after the determination of such proceedings.

**Sec. 8. Governor may delegate powers to others, subject to revocation at any time.** In order to make effective the use of the powers conferred upon the governor by this act and thereby effectually to promote the defense of the state and the discharge of its obligations as one of the United States in respect to the national defense, the governor is hereby authorized, whenever he shall have determined that the circumstances exist which legally warrant the exercise by him of all or any of the powers conferred on him in this act, to confer by writings signed by him, upon such officials of the state or any political division thereof or such officers of the military or naval forces of the state or such other person or persons as he may select full power and authority to do in his name whatever may be necessary or convenient to carry such powers into effect. He may revoke such written authority at any time.

**Sec. 9. Governor may co-operate with federal authorities; may confer upon officers of other states authority to act in this state.** The governor shall have full power and authority to co-operate with the federal authorities and with the governors of other states in matters pertaining to the common defense and with the military and naval forces of such other states and with the constabulary, police and registration officials of such states, and in particular may issue regulations under the act heretofore by this legislature enacted governing the registration of aliens, for the purpose of assisting such other states in the enforcement of similar registration statutes, and may in time of emergency confer upon the constabulary or police of such other states the powers of special constables under section three of this act with authority to exercise such powers in such portions of the state and for such period as he may determine.

**Sec. 10. Unconstitutionality of particular provision not to affect entire act.** If any provision of this act shall be held unconstitutional the rest shall nevertheless be given full force and effect, it being the intention of the legislature that all or as many as constitutionally possible of the powers enumerated in this act shall vest in the governor.

**Sec. 11. Powers limited as to time.** The powers herein granted are limited to the first day of March in the year nineteen hundred nineteen, after which they shall cease.

**Sec. 12. Date when effective.** In view of the emergency expressed in the preamble of this act it shall take effect when approved.

Approved April 7, 1917.

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## Chapter 285.

An Act to Amend Paragraph Six, Section Six, Chapter Ten, and Section Sixteen, Chapter Nine, of the Revised Statutes, Relating to the Exemption of Live Stock from Taxation.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 10, §. 6, par. 6, relating to property exempt from taxation, amended.** Paragraph six, section six, chapter ten of the revised statutes is hereby amended by striking out the word "thirty" in the first line of said paragraph and inserting in place therefor the word 'eighteen' and by inserting between the words "sheep" and "and" in the second line of said paragraph the words 'to the number of thirty-five' and by adding after the word "swine" in the second line of said paragraph the words 'to the number of ten,' so that said paragraph as amended shall read as follows:

**'Age of neat cattle exempt changed from thirty to eighteen months; sheep over thirty-five and swine over ten in number, not exempt.** All mules and horses, less than six months old, and neat cattle, eighteen months old, and under, and all sheep to the number of thirty-five and swine to the number of ten.'

**Sec. 2. Local assessors to make return of sheep in excess of thirty-five and swine in excess of ten in number.** Section sixteen, chapter nine, of the revised statutes, is hereby amended by striking out the word "swine" in the third line of said section and inserting in place therefor the words 'in excess of the number of thirty-five and swine in excess of the number of ten', so that said section as amended shall read as follows:

**'Sec. 16. Sheep in excess of thirty-five and swine in excess of ten in number to be returned in inventory.** Assessors of taxes shall include in the inventory, required to be taken on April first, the number and value of all sheep in excess of the number of thirty-five and swine in excess of the number of ten, yearling and two year old neat cattle, stated separately, of sheep and of swine, and at every fifth year after nineteen hundred and thirteen the number and value of each kind of domestic fowl, and of the eggs and poultry, stated separately, produced therefrom during the year preceding. They shall make return thereof to the state assessors who shall tabulate the returns and publish them in detail. Said property shall not be included in the tax list.'

Approved April 7, 1917.

## Chapter 286.

**An Act Relating to Bonds in the Probate Court, Given by Executors and Administrators to Obtain License to Sell Real Estate, Amending Chapter Seventy-six of the Revised Statutes.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 76, relating to sale of real estate by license of court; amended.** Chapter seventy-six of the revised statutes is hereby amended by adding thereto 'Section 3-A.,' as follows:

**'Sec. 3-A. Bond, when conditions shall be deemed to have been performed.** Persons licensed as aforesaid shall be deemed to have performed the conditions of the aforesaid bond when they have complied with all of its terms and conditions and shall have charged themselves with the amount received from the sale of said real estate in an account duly filed and allowed by the judge of probate in and for the county having jurisdiction of the estate, which account must be filed within one year from the sale of the said real estate, and shall have given a new bond to the said judge to cover the balance of property found in their hands upon the settlement of said account; and thereafter said persons shall be liable on said bond for the amount so received from the sale of said real estate, as shown in said account.'

Approved April 7, 1917.

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## Chapter 287.

**An Act in Addition to Chapter Twenty-six, of the Revised Statutes, Relating to the Registration of Motor Vehicles.**

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 26, relating to registration of motor vehicles, amended.** That there be added at the end of chapter twenty-six of the revised statutes, the following section:

**'Sec. 42. Reissuance of plates; secretary of state may issue number same as old plate or may issue same plate.** Whenever any person has once registered a motor vehicle of which he is the owner under the provisions of this chapter, the secretary of state may at his discretion when it becomes necessary for such person to have new registration or to change the old registration of his motor vehicle, to issue to such person a new number the same as the old number that is being surrendered or to reissue to such person the old number.'

Approved April 7, 1917.



## Chapter 288.

**An Act Regulating the Keeping and Sale of Dynamite, Powder and Other Explosives.**

**Emergency preamble.** Whereas, the regulation of the keeping and sale of dynamite, powder and other explosives, within the state is necessary during the existence of war and is an emergency measure immediately necessary for the preservation of the public peace, health and safety, now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Explosives; possession and sale of to be recorded.** Every person, firm or corporation having or hereafter acquiring the possession or control of dynamite, powder or other explosives, within the state, shall within twenty-four hours after acquiring such possession or control file with the clerk of the town or city in which such explosives be kept or deposited, a written statement under oath setting forth the amount, kind and location thereof and in case of sale or other disposition of any such dynamite, powder or other explosive within the state, the seller shall obtain from the purchaser a signed statement giving the name and address of the purchaser, date of sale, amount of purchase, place of use and purpose intended, which shall be countersigned by the seller and within twenty-four hours after such sale shall be filed together with a recording fee of ten cents, with the clerk of the town or city in which such sale is made and such clerk shall keep a record of such statement and forthwith forward a copy thereof to the secretary of state.

**Sec. 2. Explosives obtained from without state to be recorded within twenty-four hours.** All persons, firms or corporations purchasing or otherwise obtaining any dynamite, powder or other explosives from without the state shall within twenty-four hours after receiving such explosives file with the clerk of the town or city in which such purchaser resides a written statement under oath setting forth the amount purchased, and for what purpose or use the same is intended together with the purchaser's and seller's name and address.

**Sec. 3. Penalty for violation.** Any person failing to comply with any of the provisions of this act shall upon complaint be punished by a fine not exceeding five hundred dollars or by imprisonment for not more than one year.

**Sec. 4. Date when effective.** In view of the emergency cited in the preable hereof this act shall take effect when approved.

Approved April 7, 1917.

## Chapter 289.

An Act to Amend Section two of Chapter Five of the Revised Statutes Relating to Qualification of Voters.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 5, § 2, relating to qualification of voters, amended. Women included.** Section two of chapter five of the revised statutes is hereby amended by striking out the word "male" in the fourth line thereof.

**Sec. 2. Election laws to apply to women.** All other public laws and statutes pertaining to elections shall be construed to apply to both males and females.

**Sec. 3. Date when effective; proviso.** This act shall take effect only upon the adoption in September, nineteen hundred seventeen, of the proposed amendment extending the right of suffrage to women, and in case of such adoption, shall take effect on the day said constitutional amendment becomes effective.

Approved April 7, 1917.

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## Chapter 290.

An Act to Amend Section Thirty-four of Chapter Fifty-five of the Revised Statutes, Relating to Free Transportation of Firemen and Policemen by Public Utilities.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 55, §. 34, relating to discrimination by public utilities, amended.** Section thirty-four of chapter fifty-five of the revised statutes is hereby amended by inserting after the word "apparatus" in the twelfth line thereof, the words: 'call men of fire departments wearing badges, while going to or returning from fires, chiefs, captains, sergeants, lieutenants and inspectors of police departments, in plain clothes and wearing badges,' and by inserting after the word "purposes" in the sixteenth line thereof the words: 'nor to prohibit any public utility from supplying water and service free or at reduced or special rates to any person, firm or corporation for fire protection purposes through or by means of any apparatus or appliances furnished, installed or maintained by such person, firm or corporation,' so that the same as amended, shall read as follows:

**'Sec. 34. Regulations as to free transportation extended. Water and service may be supplied free to persons installing fire apparatus.** It shall be unlawful for any person, firm or corporation knowingly to solicit, accept or receive any rebate, discount or discrimination in respect to any service rendered, or to be rendered by any public utility, or for any service in connection therewith whereby any such service shall in any manner, or by any device whatsoever, be rendered free or at a rate less than named in the schedules in force as provided herein or whereby any service or advan-

## CHAP. 291

tage is received other than is herein specified; provided that this chapter shall not prohibit such free or reduced rates by public utilities as is defined and provided for in the acts of Congress entitled, "An Act to Regulate Commerce" and acts amendatory thereof, nor free or reduced transportation to the officers of leased lines or to police officers or firemen in uniform or of municipal fire apparatus, call men of fire departments wearing badges, while going to or returning from fires, chiefs, captains, sergeants, lieutenants and inspectors of police departments, in plain clothes and wearing badges, editors and regular reporters of newspapers, nor free transportation under the provision of section fifty-one of chapter fifty-six; nor shall it be construed to prohibit any public utility from granting service at free or reduced rates for charitable or benevolent purposes, nor to prohibit any public utility from supplying water and service free or at reduced or special rates to any person, firm or corporation for fire protection purposes through or by means of any apparatus or appliances furnished, installed or maintained by such person, firm or corporation, provided the same be approved by the commission; nor shall it be unlawful for any public utility to make special rates to its employees or in cases of emergency service, nor shall the furnishing by any public utility of any product or service at the rates and upon terms and conditions provided for in any contract in existence January first, nineteen hundred thirteen be construed as constituting a discrimination or undue or unreasonable preference, or advantage within the meaning specified; provided, however, that when any such contract or contracts are or become terminable by notice of such utility the commission shall have power in its discretion to direct by order that such contract or contracts shall be terminated by such utility as and when directed by such order; and provided, further, that it shall be lawful for any public utility to make a contract for a definite term subject to the approval of the commission, for its product or service, but such published rates shall not be changed during the term of the contract without the consent of the commission. Any person, firm or corporation violating the provisions of this section shall be punished by a fine of not more than one thousand dollars for each offense.'

Approved April 7, 1917.

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## Chapter 291.

An Act to Amend Chapter One Hundred and Twenty-seven of the Revised Statutes, to Make Plain the Penalties Imposed under Certain Sections thereof.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 127, §. 19, relating to traveling liquor peddlers and solicitors, amended.** Section nineteen of chapter one hundred and twenty-seven of the revised statutes is hereby amended by striking out the last sentence thereof and substituting therefor the following: 'Any person violating the provisions of this section shall be fined not less than one hundred nor more than five hundred dollars and costs, and in addition thereto be imprisoned not less than two nor more than six months, and in default

**CHAP. 291**

of payment of said fine and costs he shall be imprisoned six months additional,' so that said section as amended shall read as follows:

**'Sec. 19. Fine increased and jail sentence mandatory.** No person shall travel from town to town, or from place to place, in any city, town or plantation, on foot or by public or private conveyance, either by land or water, carrying for sale or offering for sale intoxicating or fermented liquors, and no person shall solicit, obtain or offer to obtain orders for the sale or delivery of any intoxicating or fermented liquors, in any quantity. Any person violating the provisions of this section shall be fined not less than one hundred nor more than five hundred dollars and costs, and in addition thereto be imprisoned not less than two nor more than six months, and in default of payment of said fine and costs he shall be imprisoned six months additional.'

**Sec. 2. R. S., c. 127, §. 20, relating to transportation in the state of intoxicating liquors, amended.** Section twenty of chapter one hundred twenty-seven of the revised statutes is hereby amended by striking out all of said section after the word "imprisonment" in the sixth line thereof and inserting in the place thereof the following: 'Any servant, agent or employee of any transportation corporation or of any express company doing business in this state, who shall remove any intoxicating liquors from any railroad car, boat or other conveyance at any place other than the usual and established stations or places of business of such transportation company, to which said liquors are billed, or who shall aid in or consent to such removal, shall be subject to a penalty of fifty dollars and thirty days' imprisonment for every such offense, provided that said penalty shall not apply in cases where liquor in transit was changed from car to car or boat to boat to facilitate transportation. During the time intoxicating liquors are in possession of transportation and express companies, they shall allow free access and examination of the same to any officer charged with the enforcement of law, and shall furnish him all information in their possession in regard to said intoxicating liquors, including the privilege of examining any books and papers pertaining to the same. All such liquors intended for unlawful sale in the state shall be seized while in transit and proceeded against the same as if they were unlawfully kept and deposited in any place,' so that said section as amended shall read as follows:

**'Sec. 20. Jail sentence added to fine and made obligatory; officers to have free access; transportation companies to furnish information.** No person shall knowingly transport from place to place in the state, any intoxicating liquors, with intent to sell the same in the state in violation of law, or with intent that the same shall be so sold by any person, or to aid any person in such sale, under a penalty of not less than fifty nor more than one hundred dollars, and sixty days' imprisonment. Any servant, agent or employee of any transportation corporation or of any express company doing business in this state, who shall remove any intoxicating liquors from any railroad car, boat or other conveyance at any place other than the usual and established stations or places of business of such transportation company, to which said liquors are billed, or who shall aid in or consent to

such removal, shall be subject to a penalty of one hundred dollars and thirty days' imprisonment for every such offense, provided that said penalty shall not apply in cases where liquor in transit was changed from car to car, or boat to boat, to facilitate transportation. During the time intoxicating liquors are in the possession of transportation and express companies, they shall allow free access to and examination of the same to any officer charged with the enforcement of law, and shall furnish him all information in their possession in regard to said intoxicating liquors, including the privilege of examining any books and papers pertaining to the same. All such liquors intended for unlawful sale in the state shall be seized while in transit and proceeded against the same as if they were unlawfully kept and deposited in any place.'

**Sec. 3. R. S., c. 127, §. 22, relating to sale of intoxicating liquor, responsibility of employees, amended.** Section twenty-two of chapter one hundred twenty-seven, revised statutes, is hereby amended by striking out all of said section after the word "law" in the third line thereof and substituting therefor the following: 'shall be punished by a fine of not less than one hundred nor more than five hundred dollars and costs and in addition thereto be imprisoned for not less than two nor more than six months and in default of payment of said fine and costs he shall be imprisoned not less than two nor more than six months additional, and on each subsequent conviction he shall be punished by a fine of five hundred dollars and costs and in addition thereto be imprisoned six months, and in default of payment of said fine and costs he shall be imprisoned six months additional. Any clerk, servant, agent or other person in the employment or on the premises of another, who violates or in any manner aids or assists in violating any provisions of law relating to intoxicating liquors, is equally guilty with the principal and shall suffer like penalties,' so that said section as amended shall read as follows:

**'Sec. 22. Fine and jail penalty increased.** Whoever by himself, clerk, servant or agent, sells any intoxicating liquors in this state, in violation of law, shall be punished by a fine of not less than one hundred nor more than five hundred dollars and costs and in addition thereto be imprisoned for not less than two nor more than six months, and in default of payment of said fine and costs he shall be imprisoned not less than two nor more than six months additional, and on each subsequent conviction he shall be punished by a fine of five hundred dollars and costs and in addition thereto be imprisoned six months, and in default of payment of said fine and costs he shall be imprisoned six months additional. Any clerk, servant, agent or other person in the employment or on the premises of another, who violates or in any manner aids or assists in violating any provision of law relating to intoxicating liquors, is equally guilty with the principal and shall suffer like penalties.'

**Sec. 4. R. S., c. 127, §. 23, relating to common sellers, increased.** Section twenty-three of chapter one hundred and twenty-seven, revised statutes, is hereby amended by striking out all of said section after the words "this section" in the second line thereof, and by substituting there-

**CHAP. 291**

for the words, 'shall be punished by a fine of not less than one hundred nor more than five hundred dollars and costs, and in addition thereto be imprisoned not less than two nor more than six months, and in default of payment of said fine and costs he shall be imprisoned six months additional,' so that said section as amended shall read as follows:

**'Sec. 23. Maximum penalty increased to \$500; must serve two months in jail and may be sentenced to six; penalty in case of default increased.** No person shall be a common seller of intoxicating liquors. Whoever violates this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars and costs, and in addition thereto be imprisoned not less than two nor more than six months, and in default of payment of said fine and costs he shall be imprisoned six months additional.'

**Sec. 5. R. S., c. 127, §. 24, relating to drinking houses and tippling shops, amended.** Section twenty-four of chapter one hundred and twenty-seven, revised statutes, is hereby amended by striking out all of said section after the words "conviction thereof" in the fifth line thereof and substituting therefor the following, 'shall be fined not less than one hundred nor more than five hundred dollars and costs and in addition thereto be imprisoned not less than two nor more than six months, and in default of payment of said fine and costs he shall be imprisoned six months additional,' so that said section as amended shall read as follows:

**'Sec. 24. Maximum fine increased to \$500; may be imprisoned six months.** No person shall keep a drinking house and tippling shop. Whoever sells intoxicating liquors in any building, vessel, or boat, contrary to law, and the same are there drank, is guilty of keeping a drinking house and tippling shop, and upon conviction thereof shall be fined not less than one hundred nor more than five hundred dollars and costs and in addition thereto be imprisoned not less than two nor more than six months, and in default of payment of said fine and costs he shall be imprisoned six months additional.'

**Sec. 6. R. S., c. 127, §. 27, relating to possession or deposit of intoxicating liquor with intent to sell, amended.** Section twenty-seven of chapter one hundred and twenty-seven of the revised statutes is hereby amended by striking out all of said section and inserting therefor the following:

**'Sec. 27. Provisions made to include ordering, transporting or causing to be transported; penalty increased.** No person shall deposit, or have in his possession, or order, transport or cause to be transported into the State of Maine any intoxicating liquors with intent to sell the same in the State of Maine in violation of law, or with intent that the same shall be sold by any person or to aid or assist any person in such sale. Whoever violates this section shall be fined not less than one hundred dollars nor more than five hundred dollars and costs, and in addition thereto be imprisoned for not less than two months nor more than six months, and in default of payment of said fines and costs, he shall be imprisoned six months additional.'

**Sec. 7. R. S., c. 127, §. 29, relating to search and seizure in respect to intoxicating liquors, amended.** Section twenty-nine of chapter one hundred and twenty-seven of the revised statutes is hereby amended by striking out all of said section after the word "thereof" in the thirty-first line thereof and substituting therefor the following: 'and sentenced to a fine not less than one hundred nor more than five hundred dollars and costs and in addition thereto be imprisoned not less than two nor more than six months, and in default of payment of said fine and costs he shall be imprisoned six months additional. The payment of the United States special tax as a liquor seller, or notice of any kind in any place of resort, indicating that intoxicating liquors are there sold, kept or given away unlawfully, shall be held to be prima facie evidence that the person or persons paying said tax, and the party or parties displaying said notices, are common sellers of intoxicating liquors, and the premises so kept by them common nuisances,' so that said section as amended shall read as follows:

**'Sec. 29. Maximum penalty increased to \$500 and costs and six months' imprisonment.** If any person competent to be a witness in civil suits, makes sworn complaint before any judge of a municipal or police court or trial justice, that he believes that intoxicating liquors are unlawfully kept or deposited in any place in the state by any person, and that the same are intended for sale within the state in violation of law, such magistrate shall issue his warrant directed to any officer having power to serve criminal process, commanding him to search the premises described and specially designated in such complaint and warrant, and if said liquors are there found, to seize the same, with the vessels in which they are contained, and them safely keep until final action thereon, and make immediate return of said warrant. The name of the person so keeping said liquors as aforesaid, if known to the complainant, shall be stated in such complaint, and the officer shall be commanded by said warrant if he find said liquors to arrest said person and hold him to answer as keeping said liquors intended for unlawful sale. Any person who may be suspected of selling from, or keeping for illegal sale in his pockets, intoxicating liquors, may be searched in the same manner and by the same process as is provided for the search of places, and if liquors are found upon his person, may be held to answer as though such liquors were kept and deposited by him in any place. If fluids are poured out or otherwise destroyed by the tenant, assistant or other person, when premises are about to be searched, manifestly for the purpose of preventing their seizure by officers authorized to make such search and seizure, such fluids may be held to have been intoxicating and intended for unlawful sale, and the penalties shall be the same as if said liquors had been seized. If the name of the person keeping such liquors is unknown to the complainant, he shall so allege in his complaint, and the magistrate shall thereupon issue his warrant as provided in the first sentence of this section. If upon trial, the court is of the opinion that the liquor was so aforesaid kept and intended for unlawful sale, by the person named in said complaint, or by any other person with his knowledge or consent, he shall be found guilty thereof, and sentenced to a fine of not less than one hundred nor more than five hundred dollars and costs and in ad-

**CHAP. 201**

dition thereto be imprisoned not less than two nor more than six months, and in default of payment of said fine and costs he shall be imprisoned six months additional. The payment of the United States special tax as a liquor seller, or notice of any kind in any place of resort, indicating that intoxicating liquors are there sold, kept or given away unlawfully shall be held to be prima facie evidence that the person or persons paying said tax, and the party or parties displaying said notices, are common sellers of intoxicating liquors, and the premises so kept by them common nuisances.'

**Sec. 8. R. S., c. 127, §. 45, relating to delivery, evidence of sale, complaints, responsibility of municipal officers, etc., amended.** Section forty-five of chapter one hundred twenty-seven of the revised statutes is hereby amended by striking out all the words after the word "costs" in the twelfth line thereof and substituting therefor the following: 'The mayor, aldermen, selectmen, assessors and constables, in every city, town and plantation, shall make complaint and prosecute all violations and promptly enforce the laws of this chapter; and the wilful or corrupt neglect or refusal of any of the said officials to enforce the said laws shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year. If a municipal officer, after being furnished with a written notice of a violation of this chapter, signed by two persons competent to be witnesses in civil suits, and containing the names and residences of the witnesses to prove such offense, wilfully neglects or refuses to institute proceedings therefor, he shall be fined not less than twenty, nor more than fifty dollars, to be recovered by indictment. The oath required of any such officer to the complaint may be, in substance, that from a written notice signed by two persons competent to be witnesses in civil suits, he believes the complaint signed by him to be true. If an execution or other final process, issued in any civil or criminal suit instituted under this chapter is placed in the hands of any proper officer to be by him executed, and he unreasonably neglects or refuses so to do, an action may be commenced against him by any voter in the county, and prosecuted to final judgment which shall be for the full amount of the judgment and interest on such execution; and if it is a process that requires him to take and commit an offender to prison, the damages shall not be less than fifty, nor more than five hundred dollars. Selectmen of towns herein mentioned include assessors of plantations. In suits, complaints, indictments or other proceedings for a violation of any provision of this chapter relating to intoxicating liquors, other than for the first offense, it is not requisite to set forth particularly the record of a former conviction, but it is sufficient to allege briefly, that such person has been convicted of a violation of any particular provision, or as a common seller, as the case may be, and such allegation in any criminal process, legally amendable in any stage of the proceedings before final judgment, may be amended, without terms, and as a matter of right. Any process civil or criminal, legally amendable, may, in any stage of the proceedings, be amended in any matter of form, without costs, on motion at any time before final judgment,' so that said section as amended shall read as follows:

**'Sec. 45. Penalty for wilful refusal or neglect of municipal officers to make complaint or to enforce liquor laws.** Whenever an unlawful sale is



alleged, and a delivery proved, it is not necessary to prove a payment, but such delivery is sufficient evidence of sale. A partner in business is liable for the unlawful keeping or selling of his copartner, done in the copartnership business, or by any other person, in any shop, store or other place of business, of such copartnership, with his knowledge or assent. A principal and his agent, clerk and servant, may all be included in the same complaint and process. The mayor or aldermen, selectmen, or assessors, may cause a suit to be commenced on any bond or recognizance given under this chapter in which his city, town or plantation is interested, and the same shall be prosecuted to final judgment unless paid in full with costs. The mayor, aldermen, selectmen, assessors and constables, in every city, town and plantation, shall make complaint and prosecute all violations and promptly enforce the laws of this chapter; and the wilful or corrupt neglect or refusal of any of the said officials to enforce the said laws shall be punished by a fine not exceeding one thousand dollars or by imprisonment not exceeding one year. If a municipal officer, after being furnished with a written notice of a violation of this chapter, signed by two persons competent to be witnesses in civil suits, and containing the names and residences of the witnesses to prove such offense, wilfully neglects or refuses to institute proceedings therefor, he shall be fined not less than twenty, nor more than fifty dollars, to be recovered by indictment. The oath required of any such officer to the complaint may be, in substance, that from a written notice signed by two persons competent to be witnesses in civil suits, he believes the complaint signed by him to be true. If an execution or other final process, issued in any civil or criminal suit instituted under this chapter is placed in the hands of any proper officer to be by him executed, and he unreasonably neglects or refuses so to do, an action may be commenced against him by any voter in the county, and prosecuted to final judgment which shall be for the full amount of the judgment and interest on such execution; and if it is a process that requires him to take and commit an offender to prison, the damages shall not be less than fifty, nor more than five hundred dollars. Selectmen of towns herein mentioned include assessors of plantations. In suits, complaints, indictments or other proceedings for a violation of any provision of this chapter relating to intoxicating liquors, other than for the first offense, it is not requisite to set forth particularly the record of a former conviction, but it is sufficient to allege briefly, that such person has been convicted of a violation of any particular provision, or as a common seller, as the case may be, and such allegation in any criminal process, legally amendable in any stage of the proceedings before final judgment, may be amended, without terms, and as a matter of right. Any process civil or criminal, legally amendable, may, in any stage of the proceedings, be amended in any matter of form, without costs, on motion at any time before final judgment.'

## Chapter 292.

An Act to Amend Section Thirty-eight of Chapter One Hundred and Seventeen of the Revised Statutes, Increasing the Salary of the Judge of Probate for the County of Androscoggin.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 117, § 38, relating to compensation of judges of probate, amended.** Section thirty-eight of chapter one hundred and seventeen of the revised statutes is hereby amended by striking out the words "one thousand" in the fifth line of said section and inserting in place thereof the words 'sixteen hundred,' so that said section, as amended, shall read as follows:

**'Sec. 38. Salary in Androscoggin county increased from \$1,000 to \$1,600.** Judges of probate in the several counties shall receive annual salaries from the treasuries of the counties in quarterly payments on the first days of January, April, July and October as follows:

Androscoggin, sixteen hundred dollars.

Aroostook, twelve hundred dollars.

Cumberland, three thousand dollars.

Franklin, six hundred dollars.

Hancock, eleven hundred dollars.

Kennebec, seventeen hundred dollars.

Knox, seven hundred dollars.

Lincoln, five hundred dollars.

Oxford, one thousand dollars.

Penobscot, eighteen hundred dollars.

Piscataquis, six hundred dollars.

Sagadahoc, eight hundred dollars.

Somerset, eight hundred dollars.

Waldo, seven hundred dollars.

Washington, eight hundred dollars.

York, sixteen hundred dollars; and the fees to which they are entitled by law, except the fee provided in section forty-nine of chapter one hundred and forty-five, shall be taxed and collected and paid over by the registers of probate to the county treasurers for the use of their counties.'

Approved April 7, 1917.

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## Chapter 293.

An Act to Create a Commission of Sea and Shore Fisheries.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Terms defined.** The word "commission" as used in this act shall mean the sea and shore fisheries commission created by section three of this act. The word "commissioner" as used in this act shall mean a member of the commission above defined. The word "director" as used

in this act shall mean the executive officer of the commission provided for by section eight of this act.

**Sec. 2. Existing department abolished; inconsistent statute repealed.** The office of commissioner of sea and shore fisheries as heretofore existing is hereby abolished and the provisions of section one of chapter forty-five of the revised statutes are hereby repealed.

**Sec. 3. Sea and shore fisheries commission created; appointment, qualifications, tenure, powers, duties, etc.** The governor, with the advice and consent of the council shall, upon the taking effect of this act, appoint a commission of three persons to be known as the sea and shore fisheries commission who shall have general supervision of the sea and shore fisheries and shell-fish regulated by chapter forty-five of the revised statutes. Each commissioner except as hereinafter provided shall hold office for a term of three years, unless sooner removed. Two of said commissioners shall belong to the political party casting the largest number of votes for governor at the last preceding election and one from the political party casting the second largest vote for governor at the same election. They shall exercise supervision over all the fisheries and their products taken from the tide waters within the state, including the proper enforcement of all laws relating to the catching, packing, curing, manufacturing, selling, branding and transportation of all kinds of pickled, salt, smoked, fresh, canned or frozen shell or other fish. They shall have authority to make rules and regulations governing the time, manner and conditions of taking fish, shell-fish and lobsters and may declare a close time on such varieties and in such localities as they may determine; but such rules and regulations shall be made and such close time declared only after hearing, reasonable notice of which shall have been given by publication or otherwise to all parties interested. Rules and regulations so made and close time so declared shall be held to take precedence over any then existing provisions of statute inconsistent therewith.

**Sec. 4. Tenure of office of first members to be decided by lot; vacancies to be filled from same political party.** The commission first to be appointed under the provisions of this act shall at the time of their organization determine by lot that the term of one of their number shall expire at the end of each successive period of one year for three years thereafter and upon the expiration of the successive terms as thereby determined the persons appointed shall hold office for the full term of three years. In the event of a vacancy in said commission the person appointed to fill the same shall be from the same political party as the retiring commissioner and shall hold office thereunder only for the remainder of the unexpired term.

**Sec. 5. Compensation of commissioners.** The commissioners shall be sworn to the faithful performance of their duties and shall receive a per diem of five dollars while engaged in the work of the commission and their actual expenses incurred in the performance of their official duties.

**Sec. 6. Commissioners may be removed for cause.** Commissioners

**CHAP. 298**

may at any time be removed from office for cause by the governor with the advice and consent of the council after notice and hearing.

**Sec. 7. Office of director of sea and shore fisheries created; first director present commissioner; compensation, powers and duties. Provisions of R. S., c. 45, made to conform.** The commission shall appoint a director of sea and shore fisheries (and the first director appointed shall be the present commissioner of sea and shore fisheries), who may be removed by them at their pleasure; he shall receive the sum of two thousand dollars per year; he shall also receive his actual expenses incurred in the performance of his official duties. He shall have and exercise personal supervision of the work of the department and of the enforcement of the laws relating to sea and shore fisheries by the wardens and shall himself possess all the powers of a warden. He shall make a detailed biennial report in the month of December, showing the amount of capital invested in, number of persons employed in, value of products of, and any other information that he may be able to obtain relating to the sea and shore fisheries. He shall keep a record of all prosecutions for violations of the laws relating to the sea and shore fisheries, the names of persons or firms prosecuted, the fines imposed and collected in each case and the final disposition of the same, and submit the same in his report, which shall be made to the commission and by them transmitted to the governor and council with such additional statement as they may see fit to make. All powers and duties conferred and imposed upon the commissioner of sea and shore fisheries by the provisions of chapter forty-five of the revised statutes except as herein otherwise provided, are hereby conferred and imposed upon and shall be exercised and performed by the director of sea and shore fisheries and except as herein otherwise provided, wherever in said chapter the word "commissioner" or the term "commissioner of sea and shore fisheries" occurs, the same shall be deemed to be stricken out and the term "director of sea and shore fisheries" inserted in lieu thereof.

**Sec. 8. R. S., c. 45, § 2, relating to appointment of wardens, amended. Appointment to be made by directors. Wardens, in cases of emergency, may delay filing of bond.** Section two of chapter forty-five of the revised statutes is hereby amended by striking out all of said section and inserting in lieu thereof the following: 'Fish wardens shall be appointed by the director of sea and shore fisheries, and shall be removable by him at pleasure, and the term of all fish wardens now holding a commission from the state is hereby terminated. They shall enforce all laws and the rules and regulations relating to sea and shore fisheries; arrest all violators thereof and prosecute all offenses against the same; they shall have the same power to serve criminal processes against such violators and be allowed the same fees as sheriffs for like services. They shall have the same right as sheriffs to require aid in executing the duties of their office. They shall, before being qualified to discharge the duties required by this chapter, give bond with two good and sufficient sureties or with a surety company authorized to do business in the state, as surety, in the penal sum of two thousand dollars, approved by the director of sea and shore fisheries, to the treasurer of state, conditioned for the faithful performance

of the duties of their office, provided that in case of emergency, under direction of the director of sea and shore fisheries, they may discharge their official duties for a period not exceeding two weeks after their appointment and before the filing and approval of said bond.'

**Sec. 9. Office of deputy warden abolished.** The office of deputy warden is hereby abolished.

**Sec. 10. R. S., c. 117, § 25, relating to compensation of fish wardens, amended.** Salary to be fixed by director, not to exceed three dollars per day. Paragraph two of section twenty-five of chapter one hundred seventeen of the revised statutes is hereby amended by striking out all of said paragraph and inserting in lieu thereof, the following: 'Fish wardens shall receive such compensation as the director of sea and shore fisheries may determine, not to exceed three dollars per day when actually engaged in the performance of their duties, provided that they may receive their expenses properly incurred while so engaged.'

**Sec. 11. R. S., c. 45, § 28, relating to right of search and seizure in enforcing lobster law, amended.** Section twenty-eight of chapter forty-five of the revised statutes is hereby amended by striking out in the third line thereof the word "commissioner" and inserting in lieu thereof the word 'director;' and by striking out in the fourth line thereof the words "deputy wardens;" and by striking out in the tenth line thereof the word "commissioner" and inserting in lieu thereof the word 'director' and by inserting in the ninth line thereof after the word "industry" the following: 'But nothing herein shall be held to confer the right to search a dwelling house without a warrant' and by striking out in the tenth line thereof the word "commissioner" and inserting in lieu thereof the word 'director;' and by striking out in the eleventh line thereof the word "deputy" so that said section as amended shall read as follows:

**'Sec. 28. Word "director" substituted for commissioner; words "deputy warden" eliminated. Right to search dwelling house without warrant not given. Wardens holding licenses to serve without pay.** For the purpose of enforcing the provisions relating to the protection of lobsters, as provided by the laws of the state, relating to the lobster industry, the director of sea and shore fisheries and his wardens may search, at any time in suspicious places, including buildings of every description, or any pot, trap, trawl, car, boat, smack, vessel or other vehicle that they may believe is used in the catching, taking, holding or transporting of lobsters, and may seize and remove lobsters taken, held or offered for sale in violation of the provisions of any law of the state relating to the lobster industry. But nothing herein shall be held to confer the right to search a dwelling house without a warrant. The director may appoint as many persons as he wishes, who hold licenses under section eighteen as wardens but so long as they hold licenses they shall serve without pay.'

**Sec. 12. Certain sections amended to conform.** Wherever the term "commissioner of sea and shore fisheries" or the word "commissioner" occurs in sections fifty, fifty-one, sixty-four or sixty-five of chapter forty-

**CHAP. 294**

five of the revised statutes, they shall be deemed to be stricken out and the word 'commission' inserted in lieu thereof with the appropriate grammatical changes in pronouns used therein referring thereto.

**Sec. 13. Inconsistent statutes repealed.** All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 7, 1917.

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## Chapter 294.

**An Act to Provide for the Seizure and Forfeiture of Vehicles Carrying Intoxicating Liquor Intended for Illegal Sale.**

*Be it enacted by the People of the State of Maine, as follows:*

**Vehicles, not common carriers, used for illegal transportation of intoxicating liquor, may be confiscated.** All automobiles, trucks, wagons, boats or vessels, and vehicles of every kind, not common carriers, containing intoxicating liquors intended for illegal sale within the state, found within the state in the possession or in the control of any person using them for the transportation of intoxicating liquors intended for illegal sale within the state, shall be seized by any officer seizing the liquors transported therein, shall be libeled as is provided for the libeling of intoxicating liquors and the vessels in which they are contained under chapter one hundred and twenty-seven of the revised statutes, and shall be declared forfeited by the court and sold in the same manner as is provided for the sale of vessels containing intoxicating liquors. Any claimant of any such boat, vessel, or vehicle must allege and prove that the use of such boat, vessel or vehicle for the transportation of intoxicating liquors as aforesaid was without his knowledge or consent.

Approved April 7, 1917.

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## Chapter 295.

**An Act for the Enforcement of Liens on Watches, Clocks and Jewelry for Labor and Materials Furnished in Making and Repairing Same.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Mechanics lien on watches, clocks and jewelry, created.** Every individual, partnership or corporation, having an established place of business in this state, engaged in making, altering or repairing any watch, clock or jewelry or expending any labor or materials thereon, shall have a lien upon such watch, clock or jewelry for his reasonable compensation for said labor and materials, which shall take precedence of all other claims and incumbrances, and such watch, clock or jewelry shall be exempt from attachment or execution until such lien and the cost of satisfying it are satisfied.

## CHAP. 296

**Sec. 2. May be sold after one year; provisions.** The lien holder shall retain such watch, clock or jewelry for a period of one year, at the expiration of which time, if such lien is not satisfied, he may sell such watch, clock or jewelry at public auction, after giving thirty days' notice in writing to the owner, of the time and place of such sale, specifying the amount which will then be due, exclusive of costs and expenses, and describing the property to be sold and the grounds of the lien. Such notice may be given by publishing same in a newspaper published and circulated in the county where the property is held, and also by mailing a copy of such notice addressed to the owner's place of residence if known, or if the owner's place of residence is unknown, a copy of said notice may be posted in two public places in the town, village or city where the property is held.

**Sec. 3. Residue, if not claimed by owner, deposited with county treasurer.** After satisfying the lien and any cost and expenses that may have accrued, any residue remaining from said sale shall on demand within six months, be paid to the owner, and if not so demanded within six months from such sale, such residue shall be deposited by such lien holder, with the treasurer of the county in which said property was held, together with a statement of said lien holder's claim and the cost of enforcing the same, a copy of the published notice, and of the amount received for the property sold at said sale; said residue shall by said county treasurer be credited to the general revenue fund of said county, subject to the right of said owner, or his representatives, to reclaim at any time within three years of the date of deposit with said treasurer.

Approved April 7, 1917.

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## Chapter 296.

An Act to Amend Section Two of Chapter Seven of the Revised Statutes of Nineteen Hundred Sixteen Relating to the Printing of Ballots.

*Be it enacted by the People of the State of Maine, as follows:*

**R. S., c. 7, §. 2, relating to the printing of the ballots, amended.** Section two of chapter seven of the revised statutes is hereby amended so that said section as amended shall read as follows:

**'Sec. 2. Blank square to be left at right of candidate's name; also at right of blank space under name.** Every general ballot, or ballot intended for the use of all voters, which shall be printed in accordance with the provisions of this chapter, shall contain the names and residences, ward residences in city elections, of all candidates whose nominations for any office specified in the ballot have been duly made and not withdrawn in accordance herewith, and the office for which they have been severally nominated, and shall contain no other names except that in case of electors of president and vice-president of the United States, the names of the candidates for president and vice-president may be added to the party or political

**CHAP. 297**

designation. The names of candidates nominated by any party shall be grouped together upon the ballot. Above each group shall be placed the name of the political party by which the candidates comprising such group were placed in nomination, or the political designation as described in the certificate of nomination, or nomination papers, under a square. Below the name of each candidate for any office in any group there shall be left a blank space in which the voter may write the name of any person for whom he desires to vote as a candidate for such office; at the right of each name and at the right of the blank space above provided for there shall be left a blank square in which the voter may make a cross mark (X). If only one person be nominated by any party, or under any political designation, his name with the office for which he is a candidate shall be printed by itself under the name of such party or political designation. Whenever the approval of a constitutional amendment or other question is submitted to the vote of the people such question or questions shall be printed upon a separate ballot. The ballots shall be so printed as to leave a blank space, above such amendment or question so as to give each voter a clear opportunity to designate by a cross mark, (X) therein, his answers to the questions submitted and on the ballot may be printed such words as will aid the voter to do this as "yes," or "no," and the like. The ballot shall be not less than four inches in width and not less than six inches in length. Before distribution the ballots shall be so folded in marked creases that their width and length when folded shall be uniform. On the back and outside, when folded, shall be printed "Official Ballot for," followed by the designation of the polling place for which the ballot is prepared, the date of the election and a facsimile of the signature of the secretary of state or city clerk who has caused the ballot to be printed. Except as otherwise herein provided, ballots shall be printed upon clean white paper without any distinguishing mark or figures thereon.

Approved April 7, 1917.

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## Chapter 297.

**An Act to Amend Sections Forty-nine, Fifty, Fifty-one, Fifty-two, Fifty-three, Fifty-four, Fifty-six and Fifty-seven of Chapter Sixty-four of the Revised Statutes, Relating to the Protection of Neglected Children.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 64, § 49, relating to appointment of agent for protection of children, amended.** Section forty-nine, chapter sixty-four, revised statutes, is hereby amended to read as follows:

**'Sec. 49. Application for appointment to be made by county commissioners; only one agent to a county; certain power curtailed.** Upon application by the county commissioners of any county to the governor and council, recommending any person as an "agent for the protection of children," the governor shall cause the qualifications and experience of said person to be investigated by the state board of charities and corrections,



## CHAP. 297

a report thereon to be made to him; if from such report it shall appear that the person so recommended possesses the necessary qualifications and experience for the office, the governor and council shall issue a badge and a commission to the person designated in said application, appointing such person as an "agent for the protection of children" to serve within and for the county for which she or he shall be appointed and to perform such duties as may be required by the following sections of this chapter: provided that there shall not be more than one commission which has been issued under the provisions of this section as amended in force for any county at one and the same time, but this proviso shall not serve to terminate the commission of any agent now holding office, nor, exclusive of fees, to reduce the rate of compensation of such agents.'

**Sec. 2. R. S., c. 64, §. 50, relating to appointment of agent when no recommendation is made, amended.** Section fifty of said chapter sixty-four is hereby amended to read as follows:

**'Sec. 50. Procedure when county commissioners fail to recommend for filling vacancy; compensation.** If any vacancy occurs in the office of the agent for the protection of children in any county, and the county commissioners fail, for more than thirty days thereafter, to recommend a suitable person for the office, such appointment may be made by the governor and council upon the recommendation of the state board of charities and corrections in the same manner as though the recommendation had been made at the first instance by the county commissioners, and in such case the compensation which the said agent shall receive shall be fixed by said state board but shall not exceed three dollars per day.'

**Sec. 3. R. S., c. 64, §. 51, relating to investigation by agents, amended.** Section fifty-one of said chapter sixty-four is hereby amended to read as follows:

**'Sec. 51. Compensation of agents to be not less than \$2.50 per day; other officers, how and when paid.** Any agent for the protection of children appointed as aforesaid and all sheriffs, deputy sheriffs, police officers, constables and overseers of the poor shall investigate all cases of cruel or injurious treatment of children coming to their knowledge, and shall cause offenders against any law concerning the protection of children or prevention of cruelty to the same to be prosecuted. Said agents shall file with the state board of charities and corrections such reports of cases investigated and children taken into custody by or through their efforts as the said board may require and the said board shall direct them in the performance of their duties. For their services in conducting investigations, making inspections and performing such other duties as are required by the last twelve sections of this chapter, said agents shall be paid by the county their actual expenses, including the cost of maintaining and caring for children pending continuance before hearing, and compensation at such rate which shall not be less than two dollars and fifty cents per day, as the county commissioners of their respective counties shall determine, provided that all claims of such agents for expenses and services shall first be audited by the said state board before they are approved by the county

**CHAP. 297**

designation. The names of candidates nominated by any party shall be grouped together upon the ballot. Above each group shall be placed the name of the political party by which the candidates comprising such group were placed in nomination, or the political designation as described in the certificate of nomination, or nomination papers, under a square. Below the name of each candidate for any office in any group there shall be left a blank space in which the voter may write the name of any person for whom he desires to vote as a candidate for such office; at the right of each name and at the right of the blank space above provided for there shall be left a blank square in which the voter may make a cross mark (X). If only one person be nominated by any party, or under any political designation, his name with the office for which he is a candidate shall be printed by itself under the name of such party or political designation. Whenever the approval of a constitutional amendment or other question is submitted to the vote of the people such question or questions shall be printed upon a separate ballot. The ballots shall be so printed as to leave a blank space, above such amendment or question so as to give each voter a clear opportunity to designate by a cross mark, (X) therein, his answers to the questions submitted and on the ballot may be printed such words as will aid the voter to do this as "yes," or "no," and the like. The ballot shall be not less than four inches in width and not less than six inches in length. Before distribution the ballots shall be so folded in marked creases that their width and length when folded shall be uniform. On the back and outside, when folded, shall be printed "Official Ballot for," followed by the designation of the polling place for which the ballot is prepared, the date of the election and a facsimile of the signature of the secretary of state or city clerk who has caused the ballot to be printed. Except as otherwise herein provided, ballots shall be printed upon clean white paper without any distinguishing mark or figures thereon.'

Approved April 7, 1917.

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## Chapter 297.

**An Act to Amend Sections Forty-nine, Fifty, Fifty-one, Fifty-two, Fifty-three, Fifty-four, Fifty-six and Fifty-seven of Chapter Sixty-four of the Revised Statutes, Relating to the Protection of Neglected Children.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 64, § 49, relating to appointment of agent for protection of children, amended.** Section forty-nine, chapter sixty-four, revised statutes, is hereby amended to read as follows:

**'Sec. 49. Application for appointment to be made by county commissioners; only one agent to a county; certain power curtailed.** Upon application by the county commissioners of any county to the governor and council, recommending any person as an "agent for the protection of children," the governor shall cause the qualifications and experience of said person to be investigated by the state board of charities and corrections,

## CHAP. 297

and a report thereon to be made to him; if from such report it shall appear that the person so recommended possesses the necessary qualifications and experience for the office, the governor and council shall issue a badge and a commission to the person designated in said application, appointing such person as an "agent for the protection of children" to serve within and for the county for which she or he shall be appointed and to perform such duties as may be required by the following sections of this chapter: provided that there shall not be more than one commission which has been issued under the provisions of this section as amended in force for any county at one and the same time, but this proviso shall not serve to terminate the commission of any agent now holding office, nor, exclusive of fees, to reduce the rate of compensation of such agents.'

**Sec. 2. R. S., c. 64, §. 50, relating to appointment of agent when no recommendation is made, amended.** Section fifty of said chapter sixty-four is hereby amended to read as follows:

**'Sec. 50. Procedure when county commissioners fail to recommend for filling vacancy; compensation.** If any vacancy occurs in the office of the agent for the protection of children in any county, and the county commissioners fail, for more than thirty days thereafter, to recommend a suitable person for the office, such appointment may be made by the governor and council upon the recommendation of the state board of charities and corrections in the same manner as though the recommendation had been made in the first instance by the county commissioners, and in such case the compensation which the said agent shall receive shall be fixed by said state board but shall not exceed three dollars per day.'

**Sec. 3. R. S., c. 64, §. 51, relating to investigation by agents, amended.** Section fifty-one of said chapter sixty-four is hereby amended to read as follows:

**'Sec. 51. Compensation of agents to be not less than \$2.50 per day; other officers, how and when paid.** Any agent for the protection of children appointed as aforesaid and all sheriffs, deputy sheriffs, police officers, constables and overseers of the poor shall investigate all cases of cruel or injurious treatment of children coming to their knowledge, and shall cause offenders against any law concerning the protection of children or prevention of cruelty to the same to be prosecuted. Said agents shall file with the state board of charities and corrections such reports of cases investigated and children taken into custody by or through their efforts as the said board may require and the said board shall direct them in the performance of their duties. For their services in conducting investigations, making inspections and performing such other duties as are required by the last twelve sections of this chapter, said agents shall be paid by the county their actual expenses, including the cost of maintaining and caring for children pending continuance before hearing, and compensation at such rate which shall not be less than two dollars and fifty cents per day, as the county commissioners of their respective counties shall determine, provided that all claims of such agents for expenses and services shall first be audited by the said state board before they are approved by the county

**CHAP. 297**

commissioners of the county liable to pay for the same. Sheriffs and deputy sheriffs shall be paid by their respective counties their actual expenses and compensation, where no salary is paid, at the regular per diem rate fixed by law for their respective offices; police officers, constables and overseers of the poor shall be paid by their respective towns their actual expenses and the usual compensation allowed for the performance of the duties of their respective offices; and for the service of any process, civil or criminal, which they may be authorized to serve by the terms of this section said sheriffs, deputy sheriffs, police officers and constables shall be allowed the same fees as are now allowed officers by law for the service of any similar process. All fines imposed for the punishment of offenses under the last twelve sections of this chapter shall be paid over to the county treasurer for the county in which the offenses may have been committed.'

**Sec. 4. R. S., c. 64, §. 52, relating to authority of agent and officers, amended.** Section fifty-two of said chapter sixty-four is hereby amended to read as follows:

**'Sec. 52. Agents to have same powers as sheriffs, police officers, etc.; shall not be entitled to fees.** Any agent appointed as aforesaid may arrest and bring before any court or magistrate having jurisdiction, any person offending against any law concerning the protection of children or the prevention of cruelty to the same, or serve any process, civil or criminal, provided for by the terms of said laws or required for the enforcement of the same, in the same manner and with the same powers in the premises as any sheriffs, deputy sheriff, police officer or constable, but said agents shall not be entitled to any fees therefor. Any such agent, sheriff, deputy sheriff, police officer, constable or overseer of the poor, may lawfully interfere to prevent the perpetration in his presence of any such offense or act prohibited by any law concerning the protection of children or the prevention of cruelty to the same, and whoever interferes with or obstructs such agent or any sheriff, deputy sheriff, police officer, constable or overseer of the poor in the discharge of his duty, is guilty of a misdemeanor, and shall be punished by fine not exceeding five hundred dollars or by imprisonment not exceeding six months.'

**Sec. 5. R. S., c. 64, §. 53, relating to complaint and hearing in cases of alleged abuse of children, amended.** Section fifty-three of said chapter sixty-four is hereby amended to read as follows:

**'Sec. 53. Complaint, by whom and to whom made; when case continued overseers of poor to be notified; copy of commitment sent to state board of charities and corrections; state board to keep a record of cost; custody of child when vacancy occurs in office of agent.** When complaint in writing signed by any such agent so appointed, any sheriff, deputy sheriff, police officer, constable or overseer of the poor or any officer or agent of any society for the protection of children or the prevention of cruelty to the same or by three or more citizens of any town or city is made under oath to the judge of the probate court or the nearest municipal or police court in the county in which the said city or town is located, alleging that any child in said town or city is cruelly treated or wilfully neglected by its

parents or parent or by the wilful failure of such parent or parents is not provided with suitable food, clothing or privileges of education or is kept at or allowed to frequent any disorderly house, house of ill fame, gambling place or other place where intoxicating liquors are sold or other place injurious to health or morals or that such child is an orphan without means of support or kindred of sufficient ability who will furnish such support, and praying that suitable and proper provision may be made for the care, custody, support and education of the child named in such complaint, the magistrate or judge to whom such complaint is made shall issue his warrant and cause such child to be brought before him and notice to be given to its parents or parent or other person having legal custody of such child, if any, for such length of time as the judge or magistrate may see fit, either by service in hand or by publication in such manner as the judge or magistrate may direct; the judge or magistrate, if he deems it necessary, in his discretion may order or continue the case for hearing and shall cause notice in writing of such continuance or hearing to be given to the overseers of the poor of the town where the child is residing at least ten days before the date set for hearing, provided, however, that the overseers of the poor may waive such notice. Pending any such continuance of the case before hearing, if the circumstances appear to require it, the judge or magistrate shall order the child into the care and custody of an agent for the protection of children or any suitable person consenting to receive it; and after hearing, if it shall appear that the allegations of said complaint are true, and that it is suitable and proper that such child shall be supported and educated away from its parents or parent, the magistrate or judge shall order said child temporarily into the custody of any institution provided by the city or town for the purpose or of any such agent or his successor in office, and cause a copy of the order of commitment to be sent forthwith to the state board of charities and corrections, and the expense of the support of said child from the time said judge shall order said child temporarily into the custody of such institution or agent until suitable permanent provisions can be made therefor or until said child arrives at the age of sixteen years if a male and eighteen years if a female, shall be paid by the town in which said child resides, and said town may recover the amount thereof from the parents or parent of said child, if any, as provided in section sixty of this chapter, or from the town where the child has a legal settlement, if any, or if the child shall not appear to have a legal settlement in any town, then from the state. The state board of charities and corrections shall devise and keep a record, so far as obtainable, of the cost to each town and the state, of caring for the children in the custody of said agents. Whenever a vacancy occurs in the office of agent for the protection of children any child or children in the custody of the agent whose office has been terminated shall be in the custody of the state board of charities and corrections under the same condition as though by order of court until a successor to such agent has been appointed and qualified or until further orders of court making the order of commitment to temporary custody.'

**Sec. 6. R. S., c. 64, §. 54, relating to petition by institution for custody of child, amended.** Section fifty-four of said chapter sixty-four is hereby amended to read as follows:

## CHAP. 297

**'Sec. 54. Permanent commitment; hearing to be held; notice to be given; appeal; agent to retain custody.** When the superintendent or matron of any such institution or any such agent is able to find a suitable charitable institution or private person, giving preference to such near relatives as can be found, who will consent to receive, support and educate any child committed to said institution or agent under the provisions of the preceding section, said superintendent, matron or agent shall forthwith notify the judge of probate of the county in which the child was residing at the time of the issuance of the order of temporary commitment to said institution or agent, recommending the permanent commitment of such child to such charitable institution or person; the judge of probate shall order hearing, not less than ten days notice in writing to be given to the state board of charities and corrections at its office at the state house and to the clerk or recorder of the court ordering the temporary commitment, and if their whereabouts are known and if not by publication, to the parents or parent and various other parties in interest; if, upon hearing, it appears suitable and proper that such child shall continue to be supported and educated away from its parents or parent and the judge or magistrate shall deem suitable the charitable institution or private person recommended by said superintendent, matron, or agent, he shall order the child into the care and custody of such charitable institution or person, provided that such institution or person consents to receive, support and educate said child, and shall cause a copy of such order to be transmitted to said state board. Such orders and decrees provided for in this and the preceding section shall have the same effect to divest the parents or parent of all legal rights in respect to said child as specified in section thirty-eight of chapter seventy-two, revised statutes, but such orders shall not extend beyond the time when the child arrives at the age of twenty-one years if a male and eighteen years if a female, and said agent, institution or private person shall have full custody and control over said child thereafter for said time, and when the permanent order of commitment provided for in this section has been given, said charitable institution or private person shall have authority alone to give the consent required in section thirty-six of said chapter seventy-two. An appeal may be taken from the order of any probate, municipal or police court determining the temporary or permanent custody of a child under the provisions of this act, to the next term of the supreme judicial court to be holden within the county in which said probate, municipal or police court is situated, provided that in counties having a superior court such appeal from any municipal or police court shall lie solely to said superior court. The proceedings under such appeal shall follow the forms prescribed for appeals from probate courts or the provisions of any special charter of the municipal or police court concerned, but pending action upon any such appeal, the judge or magistrate of the court may order the custody of the child to be retained by said agent.'

**Sec. 7. R. S., c. 64, §. 56, relating to religious training of child, amended.** Section fifty-six of said chapter sixty-four is hereby amended to read as follows:

**'Sec. 56. Written promise made by either parent to be carried out by agent, institution or private persons.** Any child who shall come in any way

under the inspection or supervision of the state board of charities and corrections or under the provisions of the last twelve sections in this chapter, shall, when placed in a family be placed in a family of the same religious faith as that of the parents or surviving parent of such child, where a suitable family of such faith can be found willing to take such child. Any written promise made by either parent shall be faithfully carried out by the agent, institution or private person concerned. If such family can not be found, then such child shall be placed in an institution maintained for children of such faith. In case no institution of such faith exists in this state or is able to take care of said child, then it may be placed in such family or institution as may be approved by the state board of charities and corrections until such a family has been secured; provided, however, that if the parents of such child are of different religious faiths, or the faith of its parents cannot for any reason be ascertained, then such child shall be placed in a family or institution of that religious faith in which such child has been reared and educated, but where no such family or institution can be found to take such child, then in some family or institution approved by said board until such family or institution can be found. No child when placed in any home or institution shall be denied the opportunity of attending the religious worship or exercising the religious belief of its parents or surviving parent or in which it was reared and educated.'

**Sec. 8. R. S., c. 64, §. 57, relating to prohibition against placing child in almshouse, amended.** Section fifty-seven of said chapter sixty-four is hereby amended to read as follows:

**'Sec. 57. Children in need of medical treatment may receive same in hospitals or infirmaries connected with almshouses; may be kept in almshouses when subject for school for feeble minded, until commitment can be made; provisions.** No child under sixteen years of age shall be placed in any almshouse in this state or be suffered by the overseers of the poor to remain in such almshouse except in cases of emergency, and then for a period not exceeding sixty days, provided that children under two years of age may be kept in almshouses when their mother is also an inmate; provided further, that with the consent of the state board of charities and corrections children when in need of medical or surgical treatment may be kept in hospitals or infirmaries connected with such almshouses for such length of time as they are in need of such treatment; provided also that when upon a certificate of two physicians who are graduates of some legally organized medical college and have practiced three years in this state. it shall be made to appear that any child is a proper subject for the state school for the feeble minded, such child may with the consent of and under such regulations as the state board of charities and corrections may determine, be kept in the almshouse until such time as it can, under the provisions of section forty-nine, chapter one hundred forty-five, revised statutes, be committed to said school. Whenever any child or children under sixteen years of age are placed or allowed by the overseers of the poor to remain in an almshouse, or in hospitals or infirmaries connected therewith, notice of that fact giving the name, parentage and such other facts as the state board of charities and corrections may require, shall be sent by the overseers of the

**CHAP. 298**

poor to said board within forty-eight hours of the entrance of such child into the almshouse, infirmary or hospital. A similar notice within the same time shall be sent by the overseers of the poor to the said board when such child is discharged from said almshouse, hospital or infirmary.'

**Sec. 9. Inconsistent statutes repealed.** All acts and parts of acts inconsistent with the foregoing are hereby repealed.

Approved April 7, 1917.

## Chapter 298.

**An Act to License and Regulate the Business of Making Loans in Sums of Three Hundred Dollars or Less, at a Greater Rate of Interest than Twelve Per Cent Per Annum, and Regulating the Assignment of Wages or Salaries Given as Security therefor.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Loans; persons, etc., charging more than twelve per cent interest annually, must procure license; license fee, bond, provisions, etc.** Any person, copartnership or corporation shall engage in the business of making any loan of money, credit, goods or choses in action in the amount or the value of three hundred dollars, or less, whether secured or unsecured, and charge, contract for or receive a greater rate of interest than twelve per centum per annum therefor, without first obtaining a license from the state bank commissioner. Application for such license shall be in writing and shall contain the full name and address, both of the residence and place of business, of the applicant, and if the applicant is a copartnership of every member thereof, or if a corporation, of every officer thereof; and the county and municipality, with street and number, if any, where the business is to be conducted. Every such applicant, at the time of making such application, shall pay to the bank commissioner the sum of fifty dollars as an annual license fee and in full payment of all expenses of examinations under and administration of this act. The applicant shall at the same time, file with the bank commissioner a bond in which the applicant shall be the obligor, in the sum of one thousand dollars with one or more sureties to be approved by said bank commissioner; which bond shall run to the bank commissioner of the State of Maine for the use of the state and of any person or persons who may have a cause of action against the obligor of said bond under the provisions of this act, and shall be conditioned that said obligor will conform to and abide by each and every provision of this act and will pay to the state and to any such person or persons, any and all moneys that may become due or owing to the state or to such person or persons from said obligor, under and by virtue of the provisions of this act. If in the opinion of the bank commissioner the bond shall at any time appear to be insecure or exhausted, or otherwise doubtful, an additional bond in the sum of not more than one thousand dollars satisfactory to the bank commissioner shall be filed, and upon failure of the obligor to file such additional bond, the license shall be revoked by the bank commissioner.



**Sec. 2. License to be issued by bank commissioner; expiration; rebate if for less than six months.** Upon the filing of such application and the approval of said bond and the payment of said fee, the bank commissioner shall issue a license to the applicant to make loans in accordance with the provisions of this act for a period which shall expire the first day of January next following the date of its issuance; provided, that if the license is issued for a period of less than six months the license fee shall be twenty-five dollars. Such license shall not be assignable, and shall be kept conspicuously posted in the place of business of the licensee.

**Sec. 3. Revocation of license.** The bank commissioner may, in his discretion, upon notice to the licensee and opportunity to be heard, revoke such license if satisfied that the licensee has violated any provision of this act or any existing statute. The issuance of another license after a revocation shall be at the discretion of the bank commission. In case the licensee shall be convicted a second time of a violation of sections eight and nine of this act or any existing statute the bank commissioner shall revoke such license; provided, that the second offense shall have occurred after a prior conviction.

**Sec. 4. Transaction of business under other name or at other place than stated in license prohibited; removal of licensee.** No person, copartnership or corporation so licensed shall make any loan or transact any business provided for by this act, under any other name or at any other place of business than that named in the license. Not more than one office or place of business shall be maintained under the same license, but the bank commissioner may issue more than one license to the same person upon the payment of an additional license fee and the filing of an additional bond for each license. In case of the removal of a licensee, he shall at once give written notice thereof to the bank commissioner, who shall attach to the license his consent in writing to the removal.

**Sec. 5. Investigations by bank commissioner.** The bank commissioner for the purpose of discovering violations of this act may either personally, or by any person designated by him, at any time and as often as he may desire, investigate the loans and business of every licensee and of every person, copartnership and corporation by whom or by which any such loan shall be made, whether such person, copartnership or corporation shall act, or claim to act, as principal, agent or broker, or under, or without the authority of this act; and for that purpose he shall have free access to the books, papers, records and vaults of all such persons, copartnerships and corporations; he shall also have authority to examine, under oath, all persons whomsoever whose testimony he may require, relative to such loans or business.

**Sec. 6. Bank commissioner to prescribe manner of keeping records; records to be preserved.** The licensee shall keep such books and records as in the opinion of the bank commissioner will enable the commissioner to determine whether the provisions of this act are being observed. Every such licensee shall preserve the records of final entry used in such business,

**CHAP. 298**

including cards used in the card system, if any, for a period of at least two years after the making of any loan recorded therein.

**Sec. 7. False statements as to rates, etc., distributed by licensee, prohibited.** No licensee or other person or corporation shall print, publish or distribute or cause to be printed, published or distributed in any manner whatsoever, any written or printed statement with regard to the rates, terms or conditions for the lending of money, credit, goods or choses in action, in amounts of three hundred dollars or less, which is false or calculated to deceive.

**Sec. 8. Amount of loan and rate of interest limited.** Every person, co-partnership and corporation licensed hereunder may loan any sum of money, goods or choses in action not exceeding in amount or value the sum of three hundred dollars, and may charge, contract for and receive thereon interest at a rate not to exceed three and one-half per centum per month. No person shall owe any licensee at any time more than three hundred dollars for principal.

**Sec. 9. Interest; how computed and paid. Additional charges except lawful fees prohibited. Loan forfeited in case of violation.** Interest shall not be payable in advance or compounded, and shall be computed on unpaid balances. In addition to the interest herein provided for, no further or other charge or amount whatsoever for any examination, service, brokerage, commission or other thing, or otherwise, shall be directly or indirectly charged, contracted for or received, except the lawful fees, if any, actually and necessarily paid out by the licensee to any public officer for filing or recording in any public office any instrument securing the loan, which fees may be collected when the loan is made, or at any time thereafter. If interest or charges in excess of those permitted by this act shall be charged, contracted for, or received, the contract of loan shall be void, and the licensee shall have no right to collect or receive any principal, interest or charges whatsoever.

**Sec. 10. Duties imposed upon licensee.** Every licensee shall:

**Furnish borrower with statement of acts containing copies of sections eight and nine.** Deliver to the borrower, at the time a loan is made, a statement in the English language showing in clear and distinct terms the amount and date of the loan and of its maturity, the nature of the security, if any, for the loan, the name and address of the borrower and of the licensee, and the rate of interest charged. Upon such statement there shall be printed in English a copy of sections eight and nine of this act;

**Receipt for payments.** Give to the borrower a plain and complete receipt for all payments made on account of any such loan at the time such payments are made;

**Discharge mortgage and cancel loan.** Upon repayment of the loan in full, mark indelibly every paper signed by the borrower with the word "paid" or "cancelled," and discharge any mortgage, restore any pledge, return any note and cancel any assignment given by the borrower as security.

**Sec. 11. Restrictions imposed upon licensee.** No licensee shall take any confession of judgment or any power of attorney. Nor shall he take any

note, promise to pay, or security that does not state the actual amount of the loan, the time for which it is made and the rate of interest charged, nor any instrument in which blanks are left to be filled after execution.

**Sec. 12. Assignment of wages; provisions relating to.** No assignment of any salary or wages, earned or to be earned, given to secure a loan, shall be valid unless in writing signed in person by the borrower; nor, if the borrower is married, unless it shall be signed in person by both husband and wife; nor shall such assignment be valid unless given to secure a debt contracted simultaneously with its execution. All such assignments shall be subject to the provisions of section nine of chapter one hundred and fourteen of the revised statutes.

**Sec. 13. Interest rate greater than twelve per cent annually, except as herein provided, prohibited; attempted evasion by pretended purchase.** No person, copartnership or corporation except as authorized by this act shall, directly or indirectly, charge, contract for, or receive any interest or consideration greater than twelve per centum per annum upon the loan, use or forbearance of money, goods or choses in action, or upon the loan, use or sale of credit, of the amount or value of three hundred dollars or less. The foregoing prohibition shall apply to any person who, as security for any such loan, use or forbearance of money, goods or choses in action, or for any such loan, use or sale of credit, makes a pretended purchase of property from any person and permits the owner or pledgor to retain the possession thereof, or who, by any devise or pretense of charging for his services, or otherwise, seeks to obtain a greater compensation than is authorized by this act.

**Sec. 14. Penalty for violations.** Any person, and the several officers and employees of any corporation, who shall violate any of the foregoing prohibitions shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by imprisonment of not more than six months, or by both such fine and imprisonment in the discretion of the court.

Any licensee and any officer or employee of a licensee who shall violate any of the provisions of sections eight and nine of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars or by imprisonment of not more than six months, or by both such fine and imprisonment in the discretion of the court.

**Sec. 15. Loans made elsewhere in violation of this act not to be enforced in this state.** No loan for which a greater rate of interest or charge than is allowed by this act has been contracted for or received, wherever made, shall be enforced in this state, and any person in any wise participating therein in this state shall be subject to the provisions of this act.

**Sec. 16. Exceptions.** This act shall not apply to any person, copartnership or corporation doing business under any law of this state or of the United States relating to banks, industrial banks, trust companies, or building and loan associations.

## CHAP. 299

**Sec. 17. Examiner to be appointed to enforce law; compensation.** For the enforcement of the provisions of this act the bank commissioner is authorized to appoint an examiner, the amount of his compensation to be subject to the approval of the governor and council, who shall also receive his necessary traveling expenses. The salary and traveling expenses, before mentioned, shall be paid out of the fees received from licenses issued under the provisions of this act, and the balance of the fees shall be paid in to the treasurer of state.

**Sec. 18. Invalidity of any particular portions not to affect entire act.** The invalidity of any portion of this act shall not affect the validity of any other portions thereof which may be given effect without such invalid portion.

**Sec. 19. Inconsistent statutes repealed.** Section forty-two of chapter forty of the revised statutes, and all other acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 7, 1917.

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## Chapter 299.

An Act to Amend Chapter One Hundred and Twenty-one of the Public Laws of Nineteen Hundred and Seventeen Entitled, "An Act to Amend Section Seventeen of Chapter Twelve of the Revised Statutes, Providing for Notice by Registers of Deeds to Municipal Officers of Real Estate Transfers."

*Be it enacted by the People of the State of Maine, as follows:*

**P. L. 1917, c. 121, amending R. S., c. 12, § 17, relating to notice of local assessors of real estate transfers by registers of deeds, amended.** Section seventeen of chapter twelve of the revised statutes, as amended by chapter one hundred and twenty-one of the public laws of nineteen hundred and seventeen, is further amended by striking out the last two sentences of said amended section so that as further amended it shall read as follows:

**'Sec. 17. Provision as to notification of local assessors repealed.** Every register shall, at the time of receiving any deed or instrument for record, certify thereon the day and the time of day when it was received and filed; every such paper shall be considered as recorded at the time when it was received and such time shall be entered on the record thereof. Within one hour after its delivery to him, the register shall enter such time, the names of the grantor and grantee, and their places of residence, the nature of the instrument, the amount of the consideration named therein and the name of the town or incorporated place as shown by the instrument, in which the property conveyed is located, in a book kept for that purpose, and open to inspection in business hours; and he shall suffer no deed or instrument for the conveyance of real estate to be altered, amended or withdrawn, until it is fully recorded and examined. The records may be attested by the volume, and it shall be deemed to be sufficient attestation of such records, when each volume bears the attest with the written signature of the register or other person authorized by law to attest such records.'

Approved April 7, 1917.

## Chapter 300.

An Act to Amend Certain Sections of Chapter One Hundred Forty-eight, of the Revised Statutes, Relating to Pensions for the Blind.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 148, § 1, relating to pensions for the blind; persons entitled to aid, amended.** Section twelve of chapter one hundred and forty-eight, revised statutes, is hereby amended to read as follows:

**'Sec. 12. Aid not to exceed \$200 annually; may be less. Money to be used for exclusive benefit and support.** All persons over the age of twenty-one years, who are declared to be blind, in the manner hereinafter set forth, and who come within the provisions of the following sections shall, at the discretion of the governor and council, receive as a benefit not exceeding two hundred dollars a year, for their exclusive benefit and support, payable at the close of each regular quarter, upon warrants drawn on the treasurer of state.'

**Sec. 2. R. S., c. 148, § 13, relating to persons excluded from aid, amended.** Section thirteen of said chapter one hundred forty-eight is hereby amended to read as follows:

**'Sec. 13. Persons able to earn income sufficient for support not entitled to aid; persons receiving pauper supplies and persons desiring to leave institutions, not excluded from aid.** No person or persons who are charges of any charitable or penal institution of this state or of any charitable or penal institution of any county, city or town thereof, no person or persons who are able to earn or obtain an income sufficient for their support, and no person who has not resided within the State of Maine continuously for ten consecutive years immediately before applying for said benefit shall be entitled to benefits under the provisions of the following sections; provided, however, that this section shall not be so construed as to exclude persons receiving pauper supplies or persons who may wish to leave any charitable institution in order to avail themselves of the provisions of this chapter.'

**Sec. 3. R. S., c. 148, § 14, relating to procedure for receiving aid, amended.** Section fourteen of said chapter one hundred forty-eight is hereby amended to read as follows:

**'Sec. 14. Witnesses to affidavit need not be residents of same county as applicant.** Any person claiming the benefits provided herein may go before the city, town, or plantation clerk where he resides and make affidavit to the facts which bring him within the provisions of sections eleven to nineteen, both inclusive, of said chapter; said affidavit shall be deemed an application for said benefit; the clerk shall transmit the same, together with the affidavit of two witnesses having knowledge of the facts as to the places and periods of residence of said applicant, to the municipal officers of the city, town, or plantation in which said blind person resides.'

## CHAP. 300

**Sec. 4. R. S., c. 148, § 15, relating to appointment of examiner of the blind, amended.** Section fifteen of said chapter one hundred forty-eight is hereby amended to read as follows:

**'Sec. 15. No specified time for examination of applicants.** The municipal officers of cities, towns, and plantations shall appoint a regular practicing physician whose official title shall be examiner of the blind. Said municipal officers shall promptly forward to said examiner all applications received from the clerk of the city, town, or plantation where the applicant resides.'

**Sec. 5. R. S., c. 148, § 16, relating to duties of examiner of the blind and compensation, amended.** Section sixteen of said chapter one hundred forty-eight is hereby amended to read as follows:

**'Sec. 16. Examination shall be made with reasonable promptness; definition of term "blind"; cause of blindness and other facts to be stated when known.** The examiner of the blind shall with reasonable promptness examine all applicants for said benefits referred to him by the municipal officers, and shall endorse on the applications certificates showing whether or not the applicant is blind, the word "blind" within the meaning of this act being construed as having less than one-tenth vision. He shall also state, as fully as his knowledge will permit, the cause of the blindness or partial blindness, of the applicant, and the percentage of vision, if any, actually retained. He shall keep a register in which he shall enter all facts contained in each certificate and shall forthwith return said application with his certificate thereon to the municipal officers from whom it was received. He shall be paid from the municipal treasury two dollars for each examination.'

**Sec. 6. R. S., c. 148, § 17, relating to duties of municipal officers, amended.** Section seventeen of said chapter one hundred and forty-eight is hereby amended to read as follows:

**'Sec. 17. Investigation to be made promptly; full information as to amount of aid necessary to be procured.** The municipal officers shall register the name, address, number, and the date of examination of each applicant, shall promptly make or cause to be made careful investigation, personally interviewing the applicant in his home, looking up his references, and pursuing such other sources of information as are available for the purpose of determining the truth of the statements contained in the application; and whether, under all the circumstances, considering his resources, and the ability of any member of his family to contribute to his support, the possibility of receiving aid from other relatives, the possibility of compelling contributions from any person under obligation to do so, under the provisions of chapter twenty-nine, revised statutes, and the possibility of the applicant receiving such education or instruction as will enable him to become at least partially self-supporting, the applicant is in need of a benefit under the provisions of this act, and if so, to what amount, and shall forward the application to the governor and council with recommendations endorsed thereon.'

**Sec. 7. R. S., c. 148, § 18, relating to the payment of benefits, amended.** Section eighteen of said chapter one hundred forty-eight is hereby amended to read as follows:

**'Sec. 18. Governor and council to prescribe regulations; shall determine amount of aid; may cause re-examination.** The governor and council shall prescribe such blank forms, and make such rules and regulations, not inconsistent with law, as they deem proper for carrying out the provisions of this act, shall review the evidence submitted to them under the provisions of the preceding sections, and shall determine what applicants are entitled to benefits, and the amount thereof, and the benefit shall begin on the first day of the month next succeeding the date on which the decision is made; they may at any time require a re-examination of any applicant or applicants; they shall cause warrants to be drawn upon the treasurer of state, payable to said blind persons or their legal representatives at the close of each regular quarter thereafter, during the life of said persons while they are residents of this state or until said disability is removed.'

Approved April 7, 1917.

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## Chapter 301.

An Act Additional to Chapter Nineteen of the Revised Statutes, Relating to Care and Treatment of Certain Infectious Diseases.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 19, relating to public health and prevention of contagious diseases, amended.** Chapter nineteen of the revised statutes, is hereby amended by adding at the end of said chapter the following sections, namely:

**'Sec. 125. Venereal diseases; cases found in charitable or correctional institutions to be reported.** It shall be the duty of every superintendent, manager or physician in charge of any state, county or municipal charitable or correctional institution immediately to report to the state board of health every case of venereal disease among the inmates of said institution of which he has knowledge. It shall be the duty of every superintendent, manager or physician in charge of any state-aided, county-aided, or municipally-aided charitable institution to make a similar report to the state board of health in relation to inmates of such institution, the cost of whose care and treatment is being paid in whole or in part by the state, or by any county or municipality in the state. Said report shall be made in the form which may be required by the rules and regulations of the said state board, provided that such rules and regulations shall not require said reports to be made in a form which will disclose to the state board of health or to any other person, except the said superintendent, manager or physician, the identity of the inmate. Said superintendents, managers and physicians shall comply with such rules and regulations as are made by the said state board to prevent the spread of venereal disease.'

## CHAP. 301

**Sec. 126. Reports to be treated as confidential.** The reports to the state board of health prescribed by the preceding section shall be confidential, and shall not be accessible to the public nor shall such records and reports be deemed public records.

**Sec. 127. Examination and treatment of gonorrhea and syphilis.** The state board of health shall provide, at the state laboratory of hygiene or elsewhere, facilities for the free bacteriological examination of discharges for the diagnosis of gonorrheal infections, and shall also provide at cost vaccine or anti-toxin for the treatment of such infections. And said board shall make at the expense of the state the Wassermann test for the diagnosis of syphilis; and shall furnish the treatment known as Salvarsan or other accredited specific treatment at cost.

**Sec. 128. State board of health to include information, concerning venereal diseases, in bulletins.** The state board of health shall include in bulletins and circulars distributed by it, information concerning the diseases covered by the preceding sections, provided that nothing shall be contained in such bulletins or circulars which will disclose the identity of the persons suffering from such venereal disease nor the identity of any state-aided, county-aided or municipally-aided charitable institution in which such persons are treated or cared for.

**Sec. 129. Persons discovered afflicted, in institutions, to be treated; may be isolated; may be continued in custody; expenses after expiration of sentence.** Any inmate of any state, county or municipal charitable or correctional institution, or any dependent child supported or partially supported by public funds, afflicted or suspected of being afflicted with venereal disease, shall forthwith be placed under medical treatment, and, if in the opinion of the attending physician, it is necessary, shall be isolated until danger of contagion is passed. Such case shall be immediately reported to the state board of health in accordance with the latter's rules and regulations, provided that such rules and regulations shall not require information disclosing the identity of any dependent or delinquent child, and the rules and regulations of the state board of health for the examination, testing and treatment of cases of venereal disease shall be faithfully observed. If the sentence or term of commitment of an inmate to any such state, county or municipal charitable or correctional institution expires before such disease is cured, or if, in the opinion of the attending physician of the institution, or of such physician as the authorities thereof may consult, his discharge would be dangerous to the public health, he shall be continued under such medical treatment, care and custody until in the opinion of such physician his discharge will not endanger the public health. The expenses of his support and treatment shall be paid by the place in which he has a pauper settlement, or by the state if he has no pauper settlement, after notice of the expiration of his sentence and of his condition to the overseers of the poor of the city or town or plantation where he was residing at the time of his commitment to the institution.

**Sec. 130. Penalty for neglect of duty.** Any official or person who shall wilfully fail, neglect or refuse to perform any of the duties imposed upon



him by the provisions of this act shall be fined not more than five hundred dollars or be imprisoned for not more than six months.

**Sec. 131. Appropriation.** For the purpose of enabling the state board of health to carry out the provisions of this act there is hereby appropriated for the year nineteen hundred seventeen the sum of four thousand dollars, and for the year nineteen hundred eighteen, the sum of four thousand dollars.

Approved April 7, 1917.

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## Chapter 302.

An Act to Prohibit the Selling or Giving Away of Air Rifles to Children under Fourteen Years of Age.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Air rifles not to be sold or given to children under 14 years; penalty.** Whoever sells or gives away an air rifle to any child under the age of fourteen years shall be fined not less than five or more than twenty dollars.

**Sec. 2. Jurisdiction.** Municipal courts and trial justices shall have jurisdiction of violations of the preceding section.

Approved April 7, 1917.

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## Chapter 303.

An Act to Establish the Farm Lands Loan Commissioners of Maine and to Authorize the Investment of Certain Moneys Now on Deposit in the State Treasury Known as the Reserved Land Fund.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Principal and income reserved lands, made separate funds.** All moneys on deposit in the state treasury on account of lands reserved for public uses which shall constitute the principal fund of such account on January first, one thousand nine hundred and eighteen, and all amounts credited to the same under the provisions of sections nineteen and twenty, of chapter eight, of the revised statutes, shall remain separate funds, the principal sum of which shall continue undiminished, except when payments shall be made therefrom to towns under the provisions of section twenty-one, of chapter eight, of the revised statutes, or when invested in securities according to the provisions of this act.

**Sec. 2. Farm Lands Loan Commissioners of Maine; composition of board, powers and duties.** The governor, the state auditor, the land agent, the commissioner of agriculture and the state superintendent of public schools shall constitute a board to be known as the "Farm Lands Loan Com-

**CHAP. 208**

missioners of Maine." Said commissioners shall have control of the investment of the funds arising from the sale or lease of public lands now on deposit in the state treasury and known as the reserved land fund. They shall also have control of the investment of amounts hereafter added to the principal fund of said account under the provisions of section seventeen of chapter eight, of the revised statutes. They may make investigations concerning the rights of the state in and to any islands or other lands and may report to any future session of the legislature their recommendations relative to securing such lands as the state is or may hereafter be entitled to, and may recommend the sale of the same if they deem a sale advisable.

**Sec. 3. How commissioners may invest fund.** The said commissioners shall in their discretion invest the principal of the funds which have arisen or may hereafter arise from the sale and lease of the lands reserved for public uses, keeping the principal funds separate from the interest, in the following named bonds and loans, but in no other manner, to wit: 1. In the purchase of bonds of this state; 2. In approved mortgages on agricultural lands, as hereafter provided in this act; 3. In the bonds of any city, town or county of Maine; 4. In the bonds of the United States.

**Sec. 4. Application for loan; what it shall contain.** Every application for a loan made in pursuance of the third clause as above shall be in writing, stating the amount required, the purpose for which it is to be applied and the time and terms of repayment and shall be accompanied by due proof of the assessed valuation for the preceding three years of the taxable property within the town, village, city or county making the application and of the existing indebtedness thereof.

**Sec. 5. Loans on security of agricultural lands; general provisions.** Loans made from such fund on the security of agricultural lands shall be made in accordance with the following provisions: The commissioners shall from time to time furnish the chairman of the municipal officers of the various cities, towns and plantations of the state with a sufficient number of blank applications for loans. Each blank application shall contain questions relative to the purpose for which the loan is desired, the residence of the applicant for the loan, his interest in the land offered as security, a detailed description of the boundaries of such land, the assessed and the market value of the same, the nature of the land and any other matters which the commissioners may deem relevant. Any person desiring a loan may make a request for a blank application for a loan to the chairman of the municipal officers of the town in which the land which it is proposed to offer as security is located and the said chairman shall furnish such person with a blank application and shall advise him as to the proper manner of filing the same. The applicant for a loan shall take oath before the city, town or plantation clerk to the truth of the statements made in his application, which application shall thereupon be transmitted to the commissioners at Augusta.

**Sec. 6. Town officers to inform commissioners as to value of land, etc.** In addition to the application the applicant shall also file an abstract of title to the land which the applicant offers as security, which abstract of title shall likewise be transmitted to the farm lands loan commissioners, as

aforesaid. In addition to the statements made as above prescribed the commissioners may request such further statements from these or other town officers with respect to the value of the land offered as security for a loan and the truth of the statements made by the applicant in his application as may reasonably be in their power as town officers to make and all such officers shall comply with their requests, when made, without compensation.

**Sec. 7. Conditions under which loans may be granted; amount; rate of interest, payment, purposes, fund available, expiration, etc.** The commissioners shall meet twice monthly whenever one or more applications for loans are awaiting consideration, or oftener in their discretion, to consider applications and they shall consider and dispose of all applications in the order in which such applications were received. The commissioners may grant applications for loans for which sufficient security as hereinafter provided is offered, subject to the approval of the attorney general of the title to the land offered as security. The commissioners may grant applications for the full amount asked or when they consider the security offered to be inadequate, they may reduce the amount of the loan to a sum for which they deem the security to be adequate. 1. The commissioners shall require as security for every farm loan a first mortgage on farm real estate of a market value at least double the amount of the loan held under a complete title in fee simple by the borrower; 2. No loan shall be granted to any person who is not an actual resident of this state and a bona fide occupant of the land offered as security; 3. No loan shall be granted upon any land of which the market value is less than ten dollars per acre; 4. No loan of less than three hundred or more than five thousand dollars shall be made to any one person, and no person shall be granted separate loans aggregating more than five thousand dollars; 5. At least one hundred thousand dollars of the moneys available from the reserved land fund shall be set aside each year for loans under this act and so much of said amount as may be necessary, is hereby appropriated to be loaned as provided for in this act; 6. Loans shall be granted only for the purpose of assisting the borrower to erect necessary dwelling houses and farm buildings, to build silos, to clear his lands of forest growth and for the purchase of live stock; 7. The borrower shall pay a charge of five per cent per annum for the use of the loan at the expiration of one year from the date of the loan and annually thereafter so long as the loan remains unpaid. All loans shall be made for a term of not less than three nor more than twenty years but the principal of the loan in whole or in part, at the option of the borrower, may be paid on any interest date occurring not less than three nor more than nineteen years after the date of the loan and in any event the whole shall be payable in twenty years and when partial payments are made the annual charge of five per cent shall be made only upon the unpaid balance of the principal of the loan.

**Sec. 8. Transactions to be conducted through a bank selected by applicant; specific provisions; commissioners may cause land to be examined; may refuse entire loan or may grant reduced amount.** The commissioners shall loan to borrowers in accordance with the following provisions: 1. Every applicant for a loan shall select a bank to receive deposits of the money loaned to him by the commissioners. 2. When the commissioners

**CHAP. 303**

grant a loan they shall deposit in the bank selected by the applicant for the loan a sum of money equal to the amount of the loan granted and shall furnish the bank with the mortgage and notice necessary to the proper securing of the loan, prepared ready for the signature of the applicant for the loan, and the bank shall agree to hold the sum of money so deposited until directed by the commissioners to pay it to the applicant for the loan or to dispose of it in some other manner directed by the commissioners; the bank shall further agree to record the mortgage with the proper register of deeds and to return the papers to the commissioners without charge to the commissioners or to the borrower, except that the bank may require the borrower to pay the fee charged by the register of deeds for recording the mortgage together with any sums paid for revenue stamps as may be required by law, and the amount necessary to reimburse the commissioners for sums paid for examination of the land, and of record of title. 3. Before authorizing the bank of deposit selected by the applicant for a loan to make payment to him of the amount of his loan, the commissioners shall cause an examination of the land offered as security by the applicant for the loan to be made by some competent person. If the commissioners are satisfied, upon receipt of the report of the person examining the land offered as security, that the land is of a value at least equal to that accepted as a true value by the commissioners in granting the loan, they shall direct the bank in which they have deposited the amount of the loan to pay a sum equal to this amount to the applicant for the loan. If the commissioners are not satisfied that the land offered as security for the loan is of a value equal to that accepted by them as a true value in granting the loan, they may, as justice demands, refuse altogether to pay the loan to the applicant or they may reduce the amount of the loan to a sum for which the security offered is adequate and may give the bank selected by the applicant appropriate directions for the disposal of the funds deposited with it for the payment of the loan in question.

**Sec. 9. State auditor secretary of board; shall institute proceedings on overdue payments.** The state auditor shall act as secretary of said commissioners and he shall keep a record of all bonds, mortgages and notes securing the same taken under authority of this act, showing all necessary information relative to the bonds taken, the name of the mortgagor, the amount of the mortgage, when executed, when and where payable, the rate of interest and any other matters that he may deem essential, and he is hereby authorized and required in the name of the state to institute and prosecute proceedings, by any of the methods provided by law of foreclosure when any sums are overdue on notes taken hereunder.

**Sec. 10. Commissioners, attorney general and assistant to receive no additional compensation.** The officers constituting the Farm Lands Loan Commissioners shall receive no additional compensation on account of said services, but shall be paid their actual and reasonable expenses necessarily incurred in the performance of their duties under this act. The attorney general and his assistant shall serve said board without additional compensation.

**Sec. 11. Commissioners to pay to plantations accrued interest due; shall make investigation of other funds in state treasury and report to next**

**legislature.** The Farm Lands Loan Commissioners are hereby authorized and directed to pay to plantations all accrued interest due such plantations so far as may be possible under existing provisions of law and so much of said fund as may be necessary to pay such interest is hereby appropriated for said purpose. They are also authorized and directed to ascertain the true standing of the permanent school fund and of the Passamaquoddy Indian trust fund and shall investigate the feasibility of having set aside said two last named funds, as well as the Penobscot Indian trust fund, for investment in the same manner as is herein contemplated relative to the reserved land fund, and shall report their recommendations upon the same to the next session of the legislature.

**Sec. 12. Effective January 1st, 1918.** This act shall take effect on January first, one thousand nine hundred and eighteen.

Approved April 7, 1917.

## Chapter 304.

An Act to Amend Chapter Three Hundred Nineteen of the Public Laws of Nineteen Hundred and Fifteen Entitled "An Act to Provide for State and County Aid in the Construction of Highway Bridges."

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. L. 1915, c. 319, relating to state and county aid in construction of highway bridges; apportionment of construction, amended.** Section one, of chapter three hundred nineteen of the public laws of nineteen hundred and fifteen, is hereby amended as follows:

By inserting after the word "city" in the second line of said section the words 'or unorganized township' and after the word "town" in the fifth line the words 'city, or unorganized township' and after the word "town" in the sixth line the words 'city or unorganized township' and after the word "town" in the seventh line the words 'city or unorganized township' and after the word "town" in the eighth line the words 'city or unorganized township', so that said section as amended shall read as follows:

**'Sec. 1. Unorganized townships included.** When public convenience and necessity require the building or rebuilding of any bridge in any town or city or unorganized township, said bridge being located on any main thoroughfare, and the cost of said construction, together with all other moneys raised for the construction and repair of ways, highways and bridges in said town, city or unorganized township makes a tax rate in excess of five mills on the valuation of the town, city or unorganized township last made by the board of state assessors, the cost of the construction of said bridge shall be borne as follows: Fifty per centum by the town, city or unorganized township, thirty per centum by the county in which said town, city or unorganized township is located and twenty per centum by the state.'

**Sec. 2. P. L., c. 319, § 2, relating to petition, plans, etc., amended.** Section two of said chapter three hundred nineteen is hereby amended by adding at the end of the said section the following paragraphs:

**CHAP. 304**

'When the county commissioners of any county deem that any bridge on any main thoroughfare in any unorganized township in said county, must be built or rebuilt, and in their judgment the expense of the construction will entitle the owners thereof to state and county aid as provided in section one of this act, they shall petition the state highway commission to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge; said petition to be accompanied by such plans of survey as may be directed to be made by the state highway commission. The said county commissioners and state highway commission shall constitute a board to determine the necessity of building or rebuilding said bridge, also the form of construction. The decision of said board or a majority thereof is to be final and conclusive.

The state highway commission shall appoint a time and place for the meeting of said board and give such notice thereof as they shall see fit.

When the state highway commission shall deem that any bridge on any state or state aid highway must be built or rebuilt and, in their judgment, the expense of the construction will entitle the town, or owners of the unorganized township, to state and county aid, as provided in section one of this act they shall notify the municipal officers of the town or towns, or the county commissioners having jurisdiction of the roads in any unorganized township, in which said bridge is located, and the county commissioners of the county or counties in which said bridge is located, to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge and the state highway commission shall make necessary surveys and plans of said bridge for the use of said board. The decision of the board or a majority thereof, as provided for in this section is to be final and conclusive,' so that said section as amended shall read as follows:

**'Sec. 2. Proceedings; instituted by municipal officers in towns; county commissioners in unorganized townships; highway commission on state or state aid highways.** When the municipal officers of any town deem that any bridge on any main thoroughfare must be built or rebuilt and in their judgment the expense of the construction will entitle the municipality to state and county aid as provided in section one of this act, they shall petition the commissioners of the county or counties in which said bridge is, or may be built or rebuilt and the state highway commission to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge; said petition to be accompanied by such plans of survey as may be directed to be made by the state highway commission. The said municipal officers together with the county commissioners and the state highway commission, shall constitute a board to determine the necessity of building or rebuilding said bridge, also the form of construction. The decision of said board or a majority thereof is to be final and conclusive.

The state highway commission shall appoint a time and place for the meeting of said board and give such notice thereof as it shall see fit.

When the county commissioners of any county deem that any bridge on any main thoroughfare in any unorganized township in said county, must be

built or rebuilt, and in their judgment the expense of the construction will entitle the owners thereof to state and county aid as provided in section one of this act, they shall petition the state highway commission to meet with them for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge; said petition to be accompanied by such plans of survey as may be directed to be made by the state highway commission. The said county commissioners and state highway commission shall constitute a board to determine the necessity of building or rebuilding said bridge also the form of construction. The decision of said board or a majority thereof is to be final and conclusive.

The state highway commission shall appoint a time and place for the meeting of said board and give such notice thereof as it shall see fit.

When the state highway commission shall deem that any bridge on any state or state aid highway must be built or rebuilt and, in its judgment, the expense of the construction will entitle the town, or owners of the unorganized township, to state and county aid, as provided in section one of this act it shall notify the municipal officers of the town or towns, or the county commissioners having jurisdiction of the roads in any unorganized township, in which said bridge is located, and the county commissioners of the county or counties in which said bridge is located, to meet with it for the purpose of examining into and determining whether public convenience and necessity require the building or rebuilding of said bridge and the state highway commission shall make necessary surveys and plans of said bridge for the use of said board. The decision of the board or a majority thereof, as provided for in this section is to be final and conclusive.'

**Sec. 3. P. L., 1915, c. 319, § 3, relating to approval of plans, contracts, cost of construction.** Section three, of said chapter three hundred and nineteen of the public laws of nineteen hundred and fifteen, is amended by inserting at the end of the first paragraph of said section the following paragraph:

'The county commissioners of any county where a bridge is to be built or rebuilt in any unorganized township are authorized and required to assess upon said township such sums as may be required to build or rebuild said bridge according to the last state valuation, the whole expense thereof shall be added to their next assessment on said township for repairs authorized by section sixty of chapter ten of the revised statutes which assessment shall create a lien upon said township for the whole amount thereof as effectually as is now provided in relation to repairs on such county road. That portion of said assessment which is for building or repairing said bridge aforesaid, shall be set down in the assessment in distinct items in a separate column and shall be enforced as is provided in section sixty-one of chapter ten of the revised statutes', so that said section, as amended, shall read as follows:

**'Sec. 3. County commisisoners to levy assessement upon unorganized townships; payment to be enforced under R. S. c. 10, § 61.** If the board shall decide that public convenience and necessity require the building or rebuilding of the bridge, it shall be the duty of the state highway commission to prepare plans, specifications and estimates of the cost of said construction and at a subsequent meeting of the board submit the same for approval. Up-

**CHAP. 305**

on approval of said plans and specifications by a majority of the board, the state highway commission shall proceed to let contracts for all work called for by said plans and specifications as soon as the town or towns and the county or counties interested shall have paid into the state treasury their proportional shares of the estimated cost of the construction. In case any county or town unreasonably neglects or refuses to pay into the state treasury its proportional part of the estimated cost of construction which may be due and payable under the provisions of this act, then the state treasurer may out of any funds in the state treasury due said county or town pay such proportional part and deduct the amount so paid from any such sum in the state treasury due said county or town.

The county commissioners of any county where a bridge is to be built or rebuilt in any unorganized township are authorized and required to assess upon said township such sums as may be required to build or rebuild said bridge according to the last state valuation, the whole expense thereof shall be added to their next assessment on said township for repairs authorized by section sixty of chapter ten of the revised statutes which assessment shall create a lien upon said township for the whole amount thereof as effectually as is now provided in relation to repairs on such county road. That portion of said assessment which is for building or repairing said bridge aforesaid, shall be set down in the assessment in distinct items in a separate column and shall be enforced as is provided in section sixty-one of chapter ten of the revised statutes.

All counties and all towns are hereby authorized and required to raise by taxation or otherwise such reasonable sums as may be necessary to carry out the provisions of this act.'

Approved April 7, 1917.

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## **Chapter 305.**

**An Act to Permit Savings Banks to Invest in Certain Railroad Bonds.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. R. S., c. 52, § 27, par. b, sub-section III, relating to the investment by savings banks in railroad bonds, amended.** Paragraph b, sub-section third, section twenty-seven, of chapter fifty-two, of the revised statutes is hereby amended by adding thereto the following words: 'and in the underlying mortgage bonds other than first mortgage bonds and the consolidated mortgage bonds and refunding mortgage bonds of any completed railroads organized under the laws of any state of the United States and located within the United States, and in the first mortgage bonds of any completed railroads of any other state of the United States; provided, however, that such underlying, consolidated and refunding mortgage bonds and such first mortgage bonds of railroads other than those of said named states shall be secured by liens upon a completed railroad of standard gauge and of not less than one hundred miles in length exclusive of sidings and shall be of any of the several classes established by paragraph "c",' so that said paragraph shall read as follows:



**'b: May invest in underlying consolidated and refunding mortgage bonds of certain completed railroads, proviso.** In the first mortgage bonds of any completed railroads of the states of New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Ohio, Indiana, Kentucky, Michigan, Wisconsin, Minnesota, Iowa, Illinois, Missouri, Kansas and Nebraska, and in the underlying mortgage bonds other than first mortgage bonds and the consolidated mortgage bonds and refunding mortgage bonds of any completed railroads organized under the laws of any state of the United States and located within the United States, and in the first mortgage bonds of any completed railroads of any other state of the United States; provided, however, that such underlying, consolidated and refunding mortgage bonds and such first mortgage bonds of railroads other than those of said named states shall be secured by liens upon a completed railroad of standard gauge and of not less than one hundred miles in length exclusive of sidings and shall be of any of the several classes established by paragraph "c".'

**Sec. 2. R. S., c. 52, § 27, par. c, sub-section III, amended.** Paragraph "c" of sub-section third is hereby stricken out and in place thereof insert the following:

**'c: Specific provisions governing investment in first mortgage and underlying mortgage bonds.** First mortgage bonds, and underlying mortgage bonds other than first mortgage bonds, provided, that the net earnings for each of the three fiscal years next preceding the time of making the investment shall have been not less than one and three-fourths times, and the gross operating revenues shall have been not less than five times all fixed charges for interest and rentals; and provided, further, that the mortgage or mortgages securing any issue or issues of such underlying bonds is or are prior to and to be refunded by a mortgage which covers a mileage at least twenty-five per centum greater than is covered by any prior mortgage which it is destined to refund and that such refunding mortgage is a first mortgage upon that part of the mileage covered by it which is in excess of, and distinct from, the mileage covered by all prior mortgages.

**Specific provisions governing investment in consolidated and refunding mortgage bonds.** Consolidated mortgage bonds and refunding mortgage bonds; provided, that the net earnings for each of the three fiscal years next preceding the time of making the investment shall have been not less than one and three-fourths times, and the gross operating revenues shall have been not less than five times, all fixed charges for interest and rentals; and provided, further, that the mortgage by which an issue of any such bonds is secured covers a mileage at least twenty-five per centum greater than is covered by any prior mortgage which is destined to refund and is a first mortgage upon that part of the mileage covered by it which is in excess of and distinct from the mileage covered by all prior mortgages.'

**Sec. 3. R. S., c. 52, § 27, par. e, relating to manner of construing certain provisions, amended.** Amend paragraph "e" of said chapter and section by striking out the word "street" in the first line of said paragraph, and inserting in place thereof the word 'electric,' so that said paragraph as amended shall read as follows:

## CHAP. 306

'e: Electric railroad companies not to be considered as railroad companies. Electric railroad companies are not railroad companies within the meaning of the foregoing clauses of this section.'

Approved April 7, 1917.

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## Chapter 306.

An Act to Amend Section Sixteen of Chapter Seven of the Revised Statutes, Relating to Manner of Voting.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1.** R. S., c. 7, § 16, relating to preparation of ballot and manner of voting, amended. Section sixteen of chapter seven of the revised statutes is hereby amended, so that said section as amended shall read as follows:

'Sec. 16. Cross may be placed in square over party group, or may be omitted and names checked under any party group; stickers not to be counted; exceptions. On receipt of his ballot the voter shall forthwith, and without leaving the enclosed space, retire alone to one of the voting shelves or compartments so provided and shall prepare his ballot by marking in the appropriate place, a cross (X) as follows: He may place such mark within the square above the name of the party group or ticket, in which case he shall be deemed to have voted for all the persons named in the group under such party or designation. And if the voter shall desire to vote for any person or persons, whose name or names are not printed as candidates in such party group or ticket, he may erase any name or names which are printed therein and place a cross (X) in the square at the right of the name of the candidate of his choice in any other party group or ticket. Or, as an optional method of voting, the voter may omit the cross (X) in the party square and place a cross (X) in the blank square at the right of the name of each candidate he wishes to vote for. If the voter wishes to vote for a candidate whose name is not on the ballot he may write the name under the name of the candidate erased. Or if the voter does not desire to vote for a person or persons whose name or names are printed upon the party group or ticket, he may erase such name or names with the effect that the ballot shall not be counted for the candidate or candidates whose names are so erased. Stickers shall not be counted unless used to fill a vacancy or correct an error in the printed ballot. In case of a question submitted to the vote of the people he shall place such mark in the appropriate margin above the answer which he desires to give. Before leaving the voting shelf or compartment, the voter shall fold his ballot without displaying the marks thereon, in the same way it was folded when received by him, and he shall keep the same so folded until he has voted. He shall vote in the manner provided by law before leaving the enclosed space and shall deposit his ballot in the box with the official endorsement uppermost. He shall mark and deposit his ballot without undue delay, and shall quit said enclosed space as soon as he has voted. No such voter shall be allowed to occupy a voting shelf or compartment occupied by another, or to remain

within said enclosed space more than ten minutes, or to occupy a voting shelf or compartment for more than five minutes in case all of such shelves or compartments are in use, and other voters are waiting to occupy the same. No voter not an election officer or an election clerk, whose name has been checked on the list of the ballot clerk, shall be allowed to re-enter said enclosed space during said election. The presiding election officer or officers, for the time being, shall secure the observance of the provisions of this section.'

**Sec. 2. Effective Jan. 1st, 1918.** This act repeals all acts and parts of acts inconsistent with its provisions, and shall take effect on January first, nineteen hundred eighteen.

**Approved April 7, 1917.**



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Private and Special Laws

OF THE

STATE OF MAINE

As Passed by the Seventy-Eighth  
Legislature

1917

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Private and Special Laws

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Chapter 1.

An Act Amending the Charter of the United Electric Securities Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Purposes extended.** The United Electric Securities Company, a corporation organized under the general law of Maine on the twentieth day of May in the year eighteen hundred and ninety, the purposes of which as defined in its certificate of organization were confirmed by special act of the legislature passed and approved on the second day of February in the year eighteen hundred and ninety-one, is hereby authorized to add to the purposes for which the corporation exists, the following, viz: To construct outside of the State of Maine railroads and railways, gas and electrical companies or plants and lines therefor, and to aid in the construction and operation of such railroads, railways, gas and electrical companies, plants and lines; provided, however, that such business shall be carried on, or such purposes executed, only in states and jurisdictions when and where permissible under the laws thereof.

**Sec. 2. May enter into contracts to facilitate execution of extended purposes.** Said corporation is also authorized hereby to enter into such contracts and undertakings and give such bonds and indemnifying agreements as may facilitate the execution of any of the purposes authorized by this act or by the existing charter of said corporation.

## CHAP. 2

**Sec. 3. Stockholders to accept act before effective; copy of vote to be filed with secretary of state.** Before this act shall take effect it shall be accepted by vote of a majority in voting interest of the stockholders of said corporation, passed at a meeting to be held for the purpose. Within thirty days from the passage of such vote a copy thereof, certified by the clerk of the corporation, shall be filed in the office of the secretary of state, who shall record such copy in the book wherein certificates of organization of corporations organized under the general law are recorded.

Approved February 13, 1917.

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## Chapter 2.

An Act to Incorporate the Old Folks Home in Bath.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators and purpose.** Thomas G. Plant, James O. Lincoln, Frank H. Percy, Walter S. Glidden, Frank B. Nichols, J. Edward Drake, Edward B. Smith, their associates and successors, are hereby incorporated by the name of the Old Folks Home, in Bath, for the purpose of providing a suitable and comfortable home for aged persons of both sexes, who may be in need of such home.

**Sec. 2. May hold property to amount of \$400,000.** Under the above name, said corporation may sue and be sued, take by purchase, gift, devise, bequest or otherwise, real and personal property, and hold the same for the purpose expressed in section one to an amount not exceeding four hundred thousand dollars; and may control, manage, sell and dispose of the same for the purpose aforesaid; and shall possess all the rights, privileges and immunities, and be subject to all the duties and liabilities that pertain and belong to corporations created for charitable purposes under the laws of this state.

**Sec. 3. Management.** Said corporation shall elect a board of trustees, not less than seven in number, and may elect such other officers as they may deem proper; may appoint a board of management, and executive committee, and such other officers and committees as they may deem proper, for the control and conduct of any home established under this act; prescribe rules and regulations for the admission and discharge of persons, as inmates of said home; adopt all necessary rules and by-laws, and do all other acts necessary or expedient for the establishment and management of said home, not inconsistent with the laws of this state or of the United States.

**Sec. 4. First meeting; how called.** The first meeting of the corporation for the purpose of organization may be called by any one of the above named corporators by publication of a notice of the time and place of such meeting, signed by such corporator, in any newspaper printed and published in Bath. Such notice must be published at least seven days prior to such meeting and such meeting and all subsequent meetings of said corporation, must be held at Bath.

Approved February 13, 1917.



## Chapter 3.

An Act to Amend the Charter of the Fryeburg Water Co. by Granting Certain Additional Powers and Ratifying and Confirming Certain Acts of said Corporation.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1883, c. 268, § 2, amended.** Section two of chapter two hundred and sixty-eight of the private and special laws of eighteen hundred and eighty-three, is hereby amended by striking out the word "ten" in the last line of said section, and substituting therefor the words 'one hundred', so that said section, as amended, shall read as follows:

**'Sec. 2. Amount of property increased from ten to one hundred thousand dollars.** Said corporation may hold real and personal estate necessary and convenient for the purposes aforesaid, not exceeding in amount one hundred thousand dollars.'

**Sec. 2. P. & S. L., 1883, c. 268, § 4, amended.** Section four of said chapter is hereby amended by striking out the whole of said section and substituting therefor the following section:

**'Sec. 4. Capital stock increased to \$50,000; restriction as to application repealed.** The capital stock shall not exceed fifty thousand dollars, and shall be divided into shares of one hundred dollars each.'

**Sec. 3. Supplemental.** Said chapter is further amended by adding the following section:

**'Sec. 11. Former acts ratified.** All previous acts of said corporation in acquiring, purchasing and holding real and personal estate necessary and convenient for the purposes of its aforesaid incorporation, in excess of ten thousand dollars, are hereby ratified and confirmed.'

**Sec. 4. Supplemental.** Said chapter is further amended by adding the following section:

**'Sec. 12. May acquire East Conway Water Company.** All acts of said corporation in acquiring, purchasing and holding the franchise rights and any and all other rights granted the East Conway Water Company, a corporation organized and existing under the laws of the State of New Hampshire, are hereby ratified and confirmed; and the said Fryeburg Water Co. is hereby authorized and empowered to acquire, purchase and hold the franchise rights and any and all other rights granted the East Conway Water Company aforesaid.'

Approved February 16, 1917.

## CHAP. 4

## Chapter 4.

**An Act to Enable Forest Hill Cemetery Association to Convey its Real Estate and Personal Property to the Inhabitants of Bridgton as Body Corporate and to Dissolve said Association.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. May convey its property to town of Bridgton.** That Forest Hill Cemetery Association, a corporation organized and existing under the laws of the State of Maine, as and for a public burying ground association located at Bridgton in the County of Cumberland, is authorized and empowered to give without compensation and convey by deed to the inhabitants of Bridgton as a body corporate all the right, title and interest of said association at the time of such conveyance in and to any and all real estate and all money by it then owned to be held and owned by said body corporate as and for a town public burying ground with the right to sell and convey unsold burial lots therein with such privileges and appurtenances as appertain and attach to such lots.

**Sec. 2. Town may accept.** And said body corporate is authorized and empowered to take and receive by deed said right, title and interest of said association in said real estate and in said money for the purpose and object of converting said burial ground into a town public burying ground to be held, managed and controlled by said body corporate as town burial grounds are required to be held, managed and controlled by law. Any action by said body corporate in the premises may be taken at a meeting of the voters thereof duly called therefor.

**Sec. 3. Dissolution of association.** Upon acceptance of said real estate and money by said body corporate as aforesaid said association is hereby dissolved.

Approved February 16, 1917.

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## Chapter 5.

**An Act to Make Valid the Organization and Records of the Fourth Congregational (Abyssinian) Church of Portland, and to Authorize said Corporation to Convey Certain Real Estate.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Organization declared valid; officers and members.** The organization of the Fourth Congregational (Abyssinian) Church of Portland as a corporation under the laws of said state, is hereby declared to be valid, and Joseph C. Fisher of the city of Portland is declared to be the clerk of said corporation, and Ruth Eastman is declared to be the treasurer thereof; and Lucy A. Heuston, Caroline Spencer, Louise Palmer, Ruth Eastman and Joseph C. Fisher are declared to be the present members of said corporation.

**Sec. 2. Former acts validated.** The record of all votes passed prior to the passage of this act, are hereby made valid and legal records, and the same shall be evidence of the votes therein recorded.

## CHAP. 5

**Sec. 3. Meeting may be called; property may be conveyed.** Said Joseph C. Fisher as the clerk of said corporation, is hereby authorized to call a meeting of the members thereof to be held in the city of Portland on such date after the approval of this act as he may designate, of which meeting seven days' public notice shall be given, by publishing such notice in one of the daily newspapers published in said city. At such meeting the members of said corporation are authorized and empowered to pass the necessary votes to authorize the sale and conveyance of the real estate now belonging to said Fourth Congregational (Abyssinian) Church of Portland. The deed to be executed by said corporation shall refer to this act, and before its delivery shall be approved by some officer duly authorized by The Congregational Conference and Missionary Society of Maine; and such deed when so approved and executed by said Fourth Congregational (Abyssinian) Church, shall be legal and valid, and operate to convey the interest of said corporation in said real estate.

**Sec. 4. Disposition of proceeds of sale.** The consideration received from the sale of such real estate, shall be paid to The Congregational Conference and Missionary Society of Maine, and after repaying itself for the moneys hereto advanced on behalf of said Fourth Congregational (Abyssinian) Church of Portland, the balance thereof shall be held by said The Congregational Conference and Missionary Society of Maine, and known as the "Abyssinian Fund," and the same shall be so invested that it will always be subject to identification. The income of such fund may be used by said The Congregational Conference and Missionary Society of Maine in carrying out its general work; but accurate accounts of such income shall be kept, so that the amount thereof may, at any time, be definitely determined; and in the event that said Fourth Congregational (Abyssinian) Church shall, at any time hereafter, become so far revived, as in the judgment of said The Congregational Conference and Missionary Society of Maine to be capable of receiving and using said fund, for the purposes for which it was originally donated to said church, then said The Congregational Conference and Missionary Society of Maine shall be authorized to pay such part of the principal, or the income of said fund, over to said church, as it deems proper at said time. Said The Congregational Conference and Missionary Society of Maine is also authorized to pay the whole or any part of the income or principal of said fund, toward the erection, repair or alteration of any church building for colored people in the City of Portland, or for the support of any church, or for religious work among the people of that race in said city, if, in the judgment of the directors of said The Congregational Conference and Missionary Society of Maine, such course shall, at any time, be deemed wise and proper.

Approved February 24, 1917.

## Chapter 6.

An Act to Authorize the City of Portland to Pension Dora B. McIntosh.

*Be it enacted by the People of the State of Maine, as follows:*

**City council may provide pension.** The city council of the city of Portland may annually hereafter appropriate and pay to Dora B. McIntosh, widow of Charles E. McIntosh, a special officer performing regular duty in the police department of the city of Portland, who on the fifteenth day of December, nineteen hundred and fifteen, lost his life in the performance of official duty, a sum not exceeding twenty-five dollars per month so long as she remains a widow, resident of the city of Portland and in need of said annuity for her support.

Approved February 24, 1917.

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## Chapter 7.

An Act to Legalize and Make Valid the Proceedings of the Annual School Meeting of the City of Augusta.

*Be it enacted by the People of the State of Maine, as follows:*

**Proceedings of certain school meeting, city of Augusta, validated.** The annual school meeting in the city of Augusta, held on the second Monday of May nineteen hundred sixteen, at half past seven o'clock in the evening, in the city hall of said city, is hereby ratified and made legal and valid, and all of the proceedings of said meeting are hereby ratified, confirmed and made valid.

Approved February 24, 1917.

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## Chapter 8.

An Act Authorizing the Songo River Line, Inc. to Construct and Maintain Wharves at East Sebago and Long Beach, in the Town of Sebago and Cumberland County.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Additional wharves authorized.** That the Songo River Line, Inc., a corporation duly established and existing under the laws of the state of Maine, its successors and assigns, is hereby authorized and empowered to construct and maintain a wharf at East Sebago in the town of Sebago at a point known as the Fitch Brothers Old Boat Landing and where said corporation has already partly constructed a cement wharf and the said corporation is hereby further authorized and empowered to construct and maintain a certain other wharf at Long Beach in the town of Sebago on the property now or formerly of Knapp Price at a point where said corporation has already partly constructed a cement wharf; the above described wharves being in addition to wharves already authorized and existing, and

to extend both of said wharves at a sufficient length and width into the water to allow the landing of boats and steamers at said wharves.

**Sec. 2. May acquire and take property; proviso.** And for the purposes aforesaid, the corporation is hereby authorized to acquire by purchase, grant or gift from any person or corporation, any lands, shore rights, rights of way from streets or highways to said wharf, subject to the approval of the county commissioners of Cumberland County; said corporation may also for the purposes aforesaid, take any land, shore rights, rights of way from streets or highways to said wharf in the same manner and under the same conditions, restrictions and limitations, as are by law prescribed in the case of taking land for the laying out of highways, upon payment of reasonable compensation therefor. Provided, however, that if said company, its successors or assigns, shall fail to use said wharf when necessary to leave or take passengers, for one season, unless prevented by conditions beyond their control, all property taken as aforesaid shall revert to the original owners, together with all structures thereon.

**Sec. 3. Compensation; procedure when owners aggrieved.** Said corporation shall be held liable to pay a just compensation for the taking of the lands, shore rights, rights of way from streets or highways to said wharf, and if any persons sustaining damage for property so as aforesaid taken and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions, limitations, as are by law prescribed in the case of damages by the laying out of highways.

Approved February 24, 1917.

## Chapter 9.

An Act to Amend Section One of Chapter Four of the Private and Special Laws of Nineteen Hundred and Thirteen, Entitled "An Act to Regulate the Taking of Smelts in the Waters of Egypt Bay, Franklin Bay, Taunton Bay and River in the Towns of Hancock, Franklin and Sullivan in Hancock County."

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1913, c. 4, § 1, amended.** Section one of chapter four of the private and special laws of nineteen hundred and thirteen, entitled 'An Act to Regulate the Taking of Smelts in the Waters of Egypt Bay, Franklin Bay, Taunton Bay and River, in the Towns of Hancock, Franklin and Sullivan, in Hancock County,' is hereby amended by striking out all of said section after the word "above" in the fourth line of said section and substituting therefor the following: 'a line drawn from the Mount Desert ferry steamboat wharf easterly to the northern end of Ingalls' island and continuing in a straight line to the town of Sorrento, in the towns of Hancock, Franklin, Sullivan and Sorrento,' so that said section as amended, shall read as follows:

**CHAP. 10**

**'Sec. 1. Prohibitory limits altered.** All persons are hereby prohibited from taking any smelts, except by hook and line, in the waters of Egypt bay, Franklin bay, Taunton bay and river and their tributaries, lying above a line drawn from the Mount Desert ferry steamboat wharf easterly to the northern end of Ingalls' island and continuing in a straight line to the town of Sorrento, in the towns of Hancock, Franklin, Sullivan and Sorrento.'

Approved February 24, 1917.

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## Chapter 10.

**An Act to Legalize and Confirm the Incorporation and Doings of the Congregational Church Society of Litchfield, Maine.**

*Be it enacted by the People of the State of Maine, as follows:*

**Incorporation and acts validated.** The incorporation of the Congregational Church Society of Litchfield, Maine, is hereby made and declared to be legal and valid, and all its acts and doings as a corporation are hereby legalized and confirmed.

Approved February 24, 1917.

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## Chapter 11.

**An Act to Extend the Time in Which the Maine Title Guarantee Company is Authorized to Commence Business.**

*Be it enacted by the People of the State of Maine, as follows:*

**Charter extended.** Chapter four hundred and thirty-one of the private and special laws of the year one thousand nine hundred and seven is hereby continued in force, and the incorporators named therein are hereby given a further period of two years from the time this act shall take effect in which to organize and commence business under said act.

Approved February 24, 1917.

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## Chapter 12.

**An Act to Extend and Amend the Charter of the Fairfield and Skowhegan Railway Company.**

*Be it enacted by the People of the State of Maine, as follows:*

**Charter extended for two years; change in ownership.** The rights, powers and privileges of the Fairfield and Skowhegan Railway Company, which were granted by chapter two hundred sixty of the private and special laws of nineteen hundred seven, and extended by chapter eleven of the private and special laws of nineteen hundred nine, and extended by chapter fifty-

two of the private and special laws of nineteen hundred eleven, and extended by chapter fifty-two of the private and special laws of nineteen hundred thirteen, to Forrest Goodwin of Skowhegan, Byron Boyd, H. L. Pishon and Frank E. Smith of Augusta, and Edward S. Clark of Eden, their associates, successors and assigns, and extended by chapter fifty-seven of the private and special laws of nineteen hundred fifteen to H. L. Swett of Skowhegan, Byron Boyd, H. L. Pishon, Frank E. Smith, of Augusta and Edward S. Clark of Eden, their associates, successors and assigns, are hereby extended for two years from the date of the approval of this act, to H. L. Swett, of Skowhegan, Byron Boyd, H. L. Pishon, Frank E. Smith, of Augusta and Edward S. Clark of Eden, their associates, successors and assigns, and the said persons named in said act with the exception of Forrest Goodwin and inserting the name of H. L. Swett therefor, their associates, successors and assigns, shall have all the rights, powers and privileges that were granted in said act to the said Forrest Goodwin, Byron Boyd, H. L. Pishon, Frank E. Smith and Edward S. Clark, to be exercised in the same manner and for the same purposes as provided in said act.

Approved February 24, 1917.

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## Chapter 13.

An Act to Amend the Charter of the Kennebec Log Driving Company as Amended by Chapter Four Hundred and Two of the Private and Special Laws of Eighteen Hundred and Eighty-five.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter further amended.** Section one of the charter of Kennebec Log Driving Company, as amended by chapter four hundred and two of the private and special laws of eighteen hundred and eighty-five, is hereby amended by striking out after the word "in" in the twenty-fourth line thereof, the following words:—"the East Branch and Kennebec river for that purpose below the outlet of Moosehead lake at the dam" and inserting in place thereof the following: 'Little Spencer stream between Big Spencer pond and Big Spencer stream and Big Spencer stream between its junction with Little Spencer stream and Dead River and in the North Branch of Dead river from the mouth of Alder stream to Dead river and in Dead river from where said North Branch enters the same to where said Dead river enters the Kennebec river and in the East Branch and Kennebec river for that purpose below the outlet of Moosehead lake at the dam,' so that said section as amended shall read as follows:

**'Sec. 1. Limits of operations amended.** That John White, Marshall French, Oliver B. Dorrance, George W. King, David Scribner, Ezra Carter, junior, David Wescott, Alvah Sweetser, John Bradley, E. H. Scribner, Levi M. Pratt, Aaron Capen, Phineas Pratt, Henry Bowman, Benjamin Weston, junior, and Josiah H. Hobbs, their associates and successors be and they are hereby made and constituted a body politic and corporate by the name

## CHAP. 18

and style of the Kennebec Log Driving Company, and by that name may sue and be sued, prosecute and defend to final judgment and execution, both in law and in equity, and may make and adopt all necessary regulations and by-laws not repugnant to the constitution and laws of the state, and may adopt a common seal, and the same may alter, break and renew at pleasure, and may purchase and hold real and personal estate sufficient for carrying on the business of the Kennebec Log Driving Company and may grant and raise money by loan or assessment for the same and for driving, securing, and forming into rafts, under rigging logs of the company. And said company shall drive to such place of destination on said Kennebec river as may be designated by the owners or by the directors of said company and may secure and form into rafts, under rigging all logs and other timber belonging to said company or any member thereof, that may be in Little Spencer stream between Big Spencer pond and Big Spencer stream and Big Spencer Stream between its junction with Little Spencer stream and Dead river and in the North Branch of Dead river from the mouth of Alder stream to Dead river and in Dead river from where said North Branch enters the same to where said Dead river enters the Kennebec river and in the East Branch and Kennebec river for that purpose below the outlet of Moosehead lake at the dam. And said company may, for the purposes aforesaid, remove obstructions, erect booms, piers and dams where the same may be lawfully done. Said company shall have all the powers and privileges and be subject to all the liabilities incident to corporations of a similar nature.'

**Sec. 2. Section four amended.** Section four of said act is hereby amended by inserting after the word "between" in the tenth line of said section the following: 'Big Spencer pond and the junction of Little Spencer stream with Big Spencer stream and between the junction of Little Spencer stream and Big Spencer stream and Dead river and in the North Branch of Dead river from the mouth of Alder stream to Dead river and in Dead river from where said North Branch enters the same to where said Dead river enters the Kennebec river and between', so that said section as amended shall read as follows:

**'Sec. 4. Statement of logs and lumber to be filed with clerk of company; limits altered.** The members of said company owning logs or other timber to be driven down said rivers, shall, on or before the first day of May in that year, file with the clerk of the company a correct statement in writing, signed by a sworn surveyor, of all such logs or timber of the number of feet, full scale, with the mark or marks thereon, together with the place from which the logs are to be driven and their destination. And it shall be the duty of the directors to keep a separate and distinct account of all expenses incurred for driving the logs and other timber between Big Spencer pond and the junction of Little Spencer stream with Big Spencer stream and between the junction of Little Spencer stream and Big Spencer stream and Dead river and in the North Branch of Dead river from the mouth of Alder stream to Dead river and in Dead river from where said North Branch enters the same to where said Dead river enters the Kennebec river and between Moosehead lake and the forks of the Kennebec river, and between said forks of the Kennebec river and the point of destination on



the Kennebec river, and ascertain the number of feet, full scale, and ownership of said logs and other timber driven between said points, and assess thereon, to owners if known, or to owners unknown, making such discount for logs driven less than the whole distance as in their opinion may be right and equitable, a distinct and separate tax sufficient to pay said expenses, with such further sums as may be necessary to pay damages and losses for piers, booms, buoys, dams and other expenses as may be voted by the company or the directors. And the directors shall have power whenever they may deem it necessary or expedient, to cause a survey to be made of any or all logs driven, secured or rafted by the company, and the expense of such survey shall be assessed on such logs in the same manner as is herein provided for assessing the expenses of driving, securing and rafting the same. If any owner or agent shall refuse or neglect to file such a statement in the manner herein prescribed, the directors may assess such delinquent or delinquents for his or their proportion of expenses, such sum or sums as may be by the directors considered just and equitable, and such assessment shall be final; said assessment to be made at any time after the first day of July at the discretion of the directors. And said company shall have a lien on all logs and other timber by them driven for the expense of driving, booming and securing, which shall not be discharged until all assessments shall be finally paid. The directors shall keep a record of the assessments in the office of the clerk, which shall be open to the inspection of all persons interested.'

Approved February 26, 1917.

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## Chapter 14.

An Act to Amend the Charter of the Kennebec Log Driving Company as Amended by Chapter One Hundred and Seventy-one of the Private and Special Laws of Eighteen Hundred and Seventy-nine.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1879, c. 171, § 1, amended.** Section one of chapter one hundred and seventy-one of the private and special laws of eighteen hundred and seventy-nine is hereby amended by inserting after the word "charter" in the third line of said section the following: 'immediately after the close of the drive on Dead river and' and by inserting after the word "anticipation" in the fourth line of said paragraph the following: 'in either of said assessments', so that said section as amended shall read as follows:

**'Sec. 1. Time when assessment is to be made.** The directors of said Kennebec Log Driving Company are hereby authorized to assess the tax for driving logs, contemplated in said charter, immediately after the close of the drive on Dead river and immediately after the close of the drive on the East Branch, so called, and in anticipation in either of said assessments of the actual cost of driving on the Main river, so called. And if after said logs and other timber shall have been driven and all expenses ascertained and estimated, it shall be found that said assessment shall be more than

**CHAP. 15**

sufficient to pay said expenses, then the balance so remaining shall be by the directors refunded to said owner or owners, in proportion to said sum to them respectively assessed.'

Approved February 26, 1917.

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## Chapter 15.

An Act to Extend the Charter of the Quebec Extension Railway Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Charter extended two years.** The rights, powers and privileges of the Quebec Extension Railway Company, which were granted by chapter forty-one of the private and special laws of nineteen hundred and thirteen, and extended by chapter fifty-six, of the private and special laws of nineteen hundred and fifteen, are hereby continued in force and extended for two years from the time this act goes into effect, and all the rights, powers, privileges and franchises which were granted, or have been acquired by virtue of said act, may, and shall be, exercised in the same manner and for the same purpose as provided in said chapter forty-one.

Approved March 1, 1917.

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## Chapter 16.

An Act to Amend Chapter One Hundred and Ninety-Five of the Private and Special Laws of Eighteen Hundred and Eighty-Seven, Entitled "An Act to Amend an Act Incorporating the City of Waterville."

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1887, c. 195, amended.** Chapter one hundred and ninety-five of the private and special Laws of eighteen hundred and eighty-seven, entitled an act to amend an act incorporating the city of Waterville is hereby amended by striking out the word "they" in the ninth line of the seventh section of said act and inserting in its place the words 'the city council'; also by inserting after the word "take" in the twelfth line of said seventh section of said act the words 'and hold'; also by striking out in the fourteenth and fifteenth lines of said section of said act the words "one hundred thousand dollars in addition to that now held by the town" and inserting in the place of said words, the words 'one million dollars,' so that said seventh section of said act as amended shall read as follows:

**'Sec. 7. Maximum amount of property increased to one million dollars.** No money shall be paid out of the city treasury except on orders drawn and signed by the mayor, designating the fund or appropriation from which said orders are to be paid, nor unless the same shall be first granted or appropriated therefor by the city council, and the city council shall secure a prompt and just accountability by requiring bonds of sufficient penalty and

surety or sureties, from all persons trusted with the receipt, custody or disbursement of money; the city council shall have the care and superintendence of the city buildings and the custody and management of all city property, with power to let or sell what may be legally let or sold, and to purchase, take and hold, in the name of the city, real and personal property for municipal purposes to an amount not exceeding one million dollars, and shall, as often as once a year, cause to be published for the information of the inhabitants, a particular account of receipts and expenditures, and a schedule of city property.'

Approved March 1, 1917.

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## Chapter 17.

An Act to Create the Van Buren Sewerage District.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Boundaries and purpose.** The following described territory and the people within the same shall constitute a body politic and corporate under the name of the Van Buren Sewerage District, for the purpose of providing a system of sewers and drainage for the comfort, convenience and health of the people of Van Buren, to wit: All of the territory in the town of Van Buren which is bounded on the southeasterly side by the town line between said Van Buren and Hamlin; on the northeasterly side by the St. John river; on the southwesterly side by the rear line of the river lots; and on the northwesterly side by the southeasterly line of the homestead farm of Victorie Cyr; so as to include all of the territory of the river lots, so called, in Van Buren, from the line between Van Buren and Hamlin on the easterly side and the southeasterly line of the homestead farm of Victorie Cyr on the westerly side.

**Sec. 2. May contract with Van Buren Water District.** Said sewerage district is hereby authorized to take and hold by purchase or otherwise any land or real estate or easement therein necessary for forming basins, reservoirs and outlets, for erecting buildings for pumping works, and for laying and maintaining conduits for carrying and collecting, discharging and disposing of sewerage matter and waters and for any other object necessary, convenient and proper for the purposes of this act. And the said sewerage district is hereby authorized to contract with the Van Buren Water District for such supply of water as may be necessary to flush and clean out the sewers and drains laid out and constructed by virtue of this act, on such terms as the trustees of the said Van Buren Water District and said Van Buren Sewerage District may agree upon.

**Sec. 3. Where sewerage may be discharged; powers granted.** Said sewerage district may construct conduits, in manner aforesaid in and through the above described territory to and into the St. John river and its tributaries, the discharge therefrom to be at such point or points in said river and tributaries as is most convenient, and convey through the same

**CHAP. 17**

sewerage, surface water and the natural flowage of existing water courses and secure and maintain basins, reservoirs and outlets; may construct and maintain flush tanks, manholes, lampholes and all usual appliances, public and private; may build and maintain pumping stations and buildings, constructions and appliances for collecting, holding, distributing and disposing of sewerage matter, may establish regulations for the use of sewers and fix and collect the prices to be paid for entering the same and also the annual rentals for using thereof, and said sewerage district is hereby authorized for the purposes aforesaid, having first obtained the permission of the municipal officers of said town, and under such restrictions and regulations as said officers may prescribe, to lay down through the streets, highways and lands of said town, and take up, replace and repair all such conduits, pipes and fixtures as may be necessary for the objects of its incorporation; to carry and lay conduits under any watercourse, way, public or private, or railroad in the manner prescribed by law and to cross any drain or sewer or if necessary to change its direction in such manner as not to obstruct the use thereof and to enter and dig up any such street, road or way, for the purpose of laying pipes beneath the surface thereof, for placing manholes or other fixtures and for maintaining and repairing the same and in general to do any other act or things necessary, convenient and proper to be done for the purpose of this act.

**Sec. 4. Certificate, containing description of lands taken, to be filed.** Said sewerage district shall file in the registry of deeds for the northern district of Aroostook county, a certificate containing a description of the land taken, or on which an easement may be taken under the provisions of this act and a statement of the purposes for which it is taken, to be recorded by the register; and such land or easement shall be deemed to be taken upon the filing of such certificate.

**Sec. 5. Damages, how determined.** Such sewerage district shall be liable to pay all damages that shall be sustained by any person in his property by the taking of any land or easement therein, under the provisions of this act; and if any person sustaining damages as aforesaid and said sewerage district shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions and limitations as are by law prescribed in the case of damages by the location of railroads.

**Sec. 6. Abutting owners may enter sewer.** Said sewerage district, at all times, after it shall commence receiving pay for the facilities supplied by it, shall be bound to permit the owners of all premises abutting upon its lines of pipes and conduits, to enter the same with all proper sewerage upon conformity to the rules and regulations of said sewerage district, and payment of the prices and rentals established therefor.

**Sec. 7. Wilful injury to property of district; penalty.** Any person who shall place or leave any offensive or injurious matter or materials on the conduits, catch basins or receptacles of said sewerage district, contrary to its regulations, or shall wilfully injure any conduit, pipe, reservoir, flush tank, catch basin, manhole, lamphole, outlet, engine, pump or other proper-

ty held, owned or used by said sewerage district for the purposes of this act, shall pay twice the amount of damages to said sewerage district to be recovered in any proper action; and every such person, on conviction of either of said acts of wilful injury aforesaid, shall be punished by fine not exceeding two hundred dollars, and by imprisonment not exceeding one year.

**Sec. 8. Liability of district.** Said sewerage district shall be liable to any person injured by any fault of said sewerage district or its agents, or any defect in the highways occasioned by the construction of the works of said sewerage district, during said construction or after the same have been completed, or while the same shall be under repairs or extensions are being made; and said sewerage district shall also be liable to the town of Van Buren for any and all cost, damage and expense which said town may suffer or be put to by reason of the default, neglect or carelessness of said sewerage district or of any of its officers, servants or agents.

**Sec. 9. Management.** All the affairs of said sewerage district shall be managed by a board of trustees composed of three members, to be chosen by ballot by the legal voters within said sewerage district, the first election to be at the meeting of the legal voters of the said sewerage district to be called to accept this act, one to serve until the annual meeting to be held in nineteen hundred and eighteen, one to serve until the annual meeting to be held in nineteen hundred and nineteen, and one to serve until the annual meeting to be held in nineteen hundred and twenty. Whenever the term of office of a trustee shall expire the legal voters of the said sewerage district shall elect a successor to serve for a full term of three years, and if any other vacancy occur it may be filled in like manner for the unexpired term. The annual election of officers shall be in the month of March. As soon as convenient after the board of trustees has been chosen, the said trustees shall hold a meeting at the office of the selectmen in the town of Van Buren, and organize by the election of a chairman and clerk, adopt a corporate seal, and when necessary, may choose a treasurer and all other needful officers and agents for the proper management of the affairs of said sewerage district. Said trustees may procure an office and incur such expenses as may be necessary. Each member shall receive in full compensation for his services an allowance of fifty dollars per year, or such other less sum as the said sewerage district at any legal meeting may prescribe. The said sewerage district, at any legal meeting thereof, called for the purpose, may adopt such by-laws and provisions, not inconsistent with the laws and constitution of this state and the United States, as they may deem expedient and necessary for the better government and regulation of its affairs within said sewerage district, in which case said by-laws and provisions so adopted, shall extend to said sewerage district as fully, to all intents and purposes, as the other provisions of this act, subject only to alterations or additions by a two-thirds vote, at a legal meeting of said sewerage district called for the purpose.

**Sec. 10. Incidental powers and privileges.** All the incidental powers, rights and privileges necessary to the accomplishment of the main object herein set forth are granted to the district hereby created.

## CHAP. 18

**Sec. 11. Acts to be accepted by voters before effective; how meeting is to be called and conducted.** This act shall take effect when accepted by a majority vote of the legal voters within said Van Buren Sewerage District, voting at a meeting to be specially called and held for the purpose on or before the first day of September, nineteen hundred and seventeen and George V. Hammond, Willie F. Paradis and Joseph J. Cyr, or either of them, are hereby authorized to call said meeting. The board of registration shall make and provide a separate check list of each of the voters within said Van Buren Sewerage District as are then legal voters of said town and all warrants issued to said voters shall be varied accordingly to show that only such voters therein are entitled to vote thereon. Such special meeting shall be called, advertised and conducted according to the law relating to municipal elections, provided, however, that the board of registration shall not be required to prepare or the town clerk to post a new list of voters, and for this purpose said board shall be in session the three secular days next preceding such election, the first two days thereof to be devoted to registration of voters and the last day to enable the board to verify the corrections of said lists and to complete and close up its records of said session. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Van Buren Sewerage District be accepted?" and the voters shall indicate by a cross placed against the words "yes" or "no" their opinion of the same. The result shall be declared by the selectmen of Van Buren, and due certificate thereof filed by the town clerk with the secretary of state.

**Sec. 12. Bond issue.** The said Van Buren Sewerage District is hereby authorized to issue bonds to the amount of one hundred thousand dollars for the purpose of raising the amount required to accomplish the various purposes contemplated by this act, to wit, the construction of a sewer system, and the accomplishment of all other things necessary, useful or incidental thereto. Said bonds may be of the date and denomination and payable at such times and places, and bear such rate of interest as the inhabitants of said Van Buren Sewerage District may determine or authorize their trustees to determine, by vote passed at any legal meeting of said inhabitants called for said purpose and containing an article in the warrant for that purpose.

Approved March 1, 1917.

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## Chapter 18.

An Act to Extend the Charter of the Salisbury Cove Water Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Charter extended for two years.** The act of incorporation of the Salisbury Cove Water Company, being chapter forty-nine of the private and special laws for the year nineteen hundred and fifteen, approved March eleventh, nineteen hundred and fifteen, is hereby extended for two years from the date when this act becomes effective with the same force and effect in all respects as if said incorporation were hereby granted.

Approved March 1, 1917.

## Chapter 19.

An Act to Authorize the York Shore Water Company to Acquire and Own Certain Local Securities.

*Be it enacted by the People of the State of Maine, as follows:*

**May acquire and own stock of Marshall House.** The York Shore Water Company is hereby authorized to acquire and own stock of the Marshall House, a corporation existing under the laws of the State of Maine, subject to the approval of the public utilities commission.

Approved March 3, 1917.

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## Chapter 20.

An Act Granting Charles H. Scott the Right to Maintain a Ferry across Eggemoggin Reach in Hancock County.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Location of ferry.** Charles H. Scott of Deer Isle, Hancock County, his associates and assigns are hereby authorized to establish and maintain a ferry for the space of ten years, across Eggemoggin Reach, between the towns of Deer Isle and Sedgwick, in said Hancock county, from the terminus of the road now existing on the Deer Isle shore, near the steamboat wharf of the Maine Central Railroad, and the terminus of the road now existing on the Sedgwick shore, near wharf of the Eastern Steamship Company, at Sargentville, with the right to keep and maintain suitable boats to be propelled by wire and trucks, oars, sails, steam, or some other power, for the safe conveyance and transportation of passengers, teams, animals, carriages, motor propelled vehicles, and freight.

**Sec. 2. Rate of toll; how established.** The rate of toll at said ferry shall be established from time to time by the county commissioners of said county of Hancock.

**Sec. 3. Other ferries prohibited; exception.** Any person who keeps a ferry contrary to the provisions of this act, or who transports passengers, teams, animals, carriages, motor propelled vehicles, or freight between said towns of Deer Isle and Sedgwick, across said Eggemoggin Reach, within a statute mile above or below the ferry established by this act, for hire, by boat or other craft for such purpose, forfeits four dollars for each day such ferry is kept or for each time of transportation, the same to be recovered by said Scott or his associates or assigns, to their use in an action on the case. Provided, however, that the carrier of the United States mail between Sargentville and Deer Isle, shall have the right to carry passengers and freight for hire, within the limits of said ferry, while actually engaged in the performance of his duties, as such carrier, on his regular trips.

**CHAP. 21**

**Sec. 4. Bond required.** Said Scott, or his associates or assigns, shall give to the commissioners of said county a bond for the faithful performance of his duties under this act, in such sum and with such sureties as may be approved by said commissioners.

Approved March 3, 1917.

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## Chapter 21.

**An Act to Confirm and Make Valid the Proceedings of the Special Town Meeting of the Inhabitants of the Town of Baileyville held April Seventeenth, Nineteen Hundred and Sixteen.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Proceedings special town meeting validated.** All the proceedings of the special town meeting of the inhabitants of the town of Baileyville held April seventeenth, nineteen hundred and sixteen, including the votes passed at said meeting to raise by loan twenty thousand dollars for the purpose of erecting and equipping a school building in said town, and to issue bonds of said town to provide for the payment of such loan, are hereby ratified, confirmed and made valid.

**Sec. 2. Bond issue ratified.** The five per cent bonds to the amount of twenty thousand dollars dated February first, nineteen hundred and sixteen, and payable one thousand dollars thereof on the first of February in each of the years nineteen hundred and twenty-one to nineteen hundred and forty inclusive, for the purpose of erecting and equipping a school building in said town of Baileyville, pursuant to the votes passed at said special town meeting, are hereby ratified, confirmed and made valid.

Approved March 3, 1917.

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## Chapter 22.

**An Act to Authorize the Town of Boothbay Harbor to Construct a Bridge across the Harbor in said Town.**

*Be it enacted by the People of the State of Maine, as follows:*

**Specifications of bridge.** The town of Boothbay Harbor is hereby authorized to lay out, construct and maintain across the harbor in said town, a suitable highway bridge, the location to include the site of the present foot bridge. Said bridge shall not exceed twenty feet in width and shall be provided with a draw of the same opening as the draw of the present foot bridge. Authority is hereby granted for the erection of such draw piers as may be necessary therefor.

Approved March 3, 1917.



## Chapter 23.

An Act to Extend the Charter of the Lincoln County Street Railway.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended two years.** The time within which the Lincoln County Street Railway, a corporation organized under the general laws of the State, shall actually commence business under its charter, is hereby extended two years from the date when this act takes effect.

**Sec. 2. Existing statutes not repealed.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statutes. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 8, 1917.

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## Chapter 24.

An Act to Change the Name of McGurdy or Crowell Pond to Lake Waukesha.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Name of lake changed.** That the name of the lake or pond known as McGurdy, and sometimes known as Crowell, the same being situated in the towns of Vienna, Chesterville and New Sharon, in the county of Franklin, be and the same hereby is, changed from McGurdy to Lake Waukesha.

**Sec. 2. Inconsistent statutes repealed.** All acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 8, 1917.

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## Chapter 25.

An Act to Authorize the Erection of a Dam across the East Branch of Spruce Creek in the Town of Kittery.

*Be it enacted by the People of the State of Maine, as follows:*

**Construction and maintenance authorized.** Horace Mitchell and other owners of land on the East Branch of Spruce Creek in the town of Kittery, their associates, heirs and assigns, be and hereby are authorized to erect and maintain a dam across said East Branch of Spruce Creek at or near Crockett's Neck, so called, in said town of Kittery.

Approved March 8, 1917.

## Chapter 26.

An Act to Amend Chapter Three Hundred and Eighty-seven of the Private and Special Laws of Nineteen Hundred and Seven, Relating to the Penobscot East Branch Log Driving Company.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1897, c. 419, further amended.** Chapter four hundred nineteen of the private and special laws of eighteen hundred ninety-seven, as amended by section two of chapter three hundred eighty-seven, of the private and special laws of nineteen hundred seven is hereby further amended by adding after the word "drive" in the fourth line of said section twelve the words 'collect, hold and sort,' and by adding to said section twelve the following: 'Said corporation is hereby further authorized and empowered to collect, hold and sort logs and other lumber coming down the east branch of the Penobscot river whenever requested in writing to do so by the owners thereof, or by those having the same in possession, and for that purpose may construct and maintain additional piers and booms, and make additional improvements in the east branch of the Penobscot River whenever necessary for the purposes aforesaid. For the purpose of defraying the expenses of making any necessary improvements, and for collecting, holding and sorting logs and other lumber in said east branch of the Penobscot river, said corporation is hereby authorized, and shall have the same rights to make assessments upon logs and other lumber collected, held and sorted as aforesaid, that it now has to make assessments to defray the expenses of making improvements and driving logs on said east branch of the Penobscot river and said corporation shall have a lien upon all logs and other lumber collected, held or sorted as herein provided for the payment of assessments so made, which shall continue for sixty days and be enforced by attachment in an action at law brought to recover such assessments,' so that said section twelve, as amended, shall read as follows:

**'Sec. 12. May construct additional piers, etc., in east branch Penobscot river; given lien on logs or lumber.** Said corporation is hereby authorized and empowered to enter into a contract for a term of years with any person or other corporation to make the improvements herein authorized and to drive, collect, hold and sort the logs and other lumber that may be in the east branch of the Penobscot river between Grand Lake dam and the west branch of said river at Medway; provided no contract so made shall continue for more than ten years. Said corporation is hereby further authorized and empowered to collect, hold and sort logs and other lumber coming down the east branch of the Penobscot river whenever requested in writing to do so by the owners thereof, or by those having the same in possession, and for that purpose may construct and maintain additional piers and booms and make additional improvements in the east branch of the Penobscot river whenever necessary for the purposes aforesaid. For the purpose of defraying the expenses of making any necessary improvements, and for collecting, holding and sorting logs and other lumber in

said east branch of the Penobscot river, said corporation is hereby authorized, and shall have the same rights to make assessments upon logs and other lumber collected, held and sorted as aforesaid that it now has to make assessments to defray the expenses of making improvements and driving logs on said east branch of the Penobscot river and said corporation shall have a lien upon all logs and other lumber collected, held or sorted as herein provided for the payment of assessments so made, which shall continue for sixty days and be enforced by attachment in an action at law brought to recover such assessments.'

Approved March 8, 1917.

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## Chapter 27.

An Act Changing the Name of McCurdy Pond to Hilton Lake.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Name of lake changed.** That the name of the pond known as McCurdy, the same being situated in the town of Bremen and county of Lincoln, be and the same hereby is, changed from McCurdy to Hilton lake.

**Sec. 2. Inconsistent statutes repealed.** All acts or parts of acts inconsistent herewith are hereby repealed.

Approved March 8, 1917.

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## Chapter 28.

An Act to Amend Chapter Three Hundred Ninety-six of Private and Special Laws of Nineteen Hundred and Nine, Authorizing the Construction of a Bridge across Ogunquit River, in the Town of Wells.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1909, c. 396, amended.** Chapter three hundred ninety-six of the private and special laws of nineteen hundred and nine is hereby amended by striking out in the first line thereof the words "town of Wells" and inserting in place thereof the words 'Ogunquit Village Corporation,' also by inserting after the words "York County" in the second line the words 'or George H. Littlefield,' also by substituting in the fourth line in place of the name of "George L. Fowler," the words 'said George H. Littlefield'; so that said act as amended shall read as follows:

**CHAP. 29**

**'Authority transferred.** Authority is hereby granted to the Ogunquit Village Corporation or the county commissioners of York County or George H. Littlefield, to construct a bridge with necessary approaches, across tide waters in Ogunquit river, at some convenient point near land of said George H. Littlefield, in the town of Wells.'

Approved March 8, 1917.

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## Chapter 29.

**An Act Relating to the Digging of Clams within the Limits of the Towns of Newcastle and Damariscotta.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Non-residents not to dig for clams.** It shall be unlawful for any person not a resident of the towns of Newcastle and Damariscotta, in the county of Lincoln, to dig for clams within the limits of said towns. This section shall not interfere with any law relating to taking shell fish for bait by fishermen.

**Sec. 2. Penalty for violation.** Whoever violates the provisions of section one of this act shall for each offence be punished by a fine of not more than ten dollars, or by imprisonment for not more than thirty days.

Approved March 8, 1917.

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## Chapter 30.

**An Act to Incorporate the Cumberland Bar Association.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators and purposes.** That Joseph W. Symonds, Melvin P. Frank, Augustus F. Moulton, Franklin C. Payson, Frank W. Robinson, Charles A. Strout, Henry W. Swasey, David W. Snow, Harry R. Virgin, Benjamin Thompson, George F. Gould, Joseph E. F. Connolly, Benjamin G. Ward, all of Portland in the State of Maine, with the other members of Cumberland Bar Association, a voluntary association now existing and being composed of members of the legal fraternity and of the bar of Cumberland county; organized and existing for the education of its members in the ethics of the profession and for the regulation of the practice of their profession as lawyers, together with their associates and successors, be and they hereby are constituted a corporation as a literary, educational and benevolent institution by the corporate name of Cumberland Bar Association for the general purposes of said voluntary association, as hereinbefore set forth, and for other literary, educational and benevolent purposes, and especially to take, have and hold in its corporate capacity, under and upon the terms, provisions and conditions of the will, the property be-

queathed by Henry B. Cleaves to the Cumberland Bar Association for the literary and benevolent purposes and uses of such bequests.

**Sec. 2. Location.** Said corporation shall be located in said city of Portland.

**Sec. 3. Acquisition of bequest of Henry B. Cleaves authorized.** Said corporation is hereby granted right, authority and power to have and take from said voluntary association and to take, have and hold in perpetual succession the property so bequeathed by the said Henry B. Cleaves to the Cumberland Bar Association for the literary and benevolent purposes and uses of and under and upon the terms, provisions and conditions of and pertaining to such bequests; also to acquire by purchase, bequest, or otherwise other real and personal property for the purposes of the corporation.

**Sec. 4. Surrender of bequest by voluntary association.** Said voluntary Cumberland Bar Association is hereby authorized, empowered and granted the right to surrender and transfer to said corporate Cumberland Bar Association the property so bequeathed by the will of said Henry B. Cleaves to the Cumberland Bar Association, and each and all the right, title, estate, interest and claim, both in law and in equity, of said voluntary Cumberland Bar Association of, in and to the property so bequeathed by said Henry B. Cleaves to the Cumberland Bar Association.

**Sec. 5. Certain acts voluntary association validated.** The acts and doings of said voluntary Cumberland Bar Association concerning and relating to the property so bequeathed by said Henry B. Cleaves, are hereby approved, affirmed, confirmed, ratified, and validated, and made binding on and effective and operative to and for said corporate body.

**Sec. 6. Officers and duties.** The officers of said corporation shall be a president, vice-president, secretary and treasurer, and such other officers as the by-laws may provide for, and their duties shall be as prescribed therein.

**Sec. 7. Rights and privileges.** This corporation may have and use a corporate seal; may prosecute and defend actions and suits at law and in equity; may make, adopt and amend by-laws for the management of its affairs and the government and regulation of the corporate body and its members (including their admission, suspension and expulsion), not inconsistent with the laws of the State of Maine, and may enforce the same by suitable penalties.

**Sec. 8. Amount of property limited.** Said corporation may hold property not exceeding three hundred thousand dollars in value.

**Sec. 9. First meeting, how called; proceedings.** The first meeting of this corporation may be called by a written notice thereof and therefor, and signed by any three of the persons named in section one of this act; such notice to state the purposes of and the time and place for such meeting. At such meeting the corporation shall organize by choice of officers, and adopt by-laws; and take such further action as may be due and lawful. A copy of

**CHAP. 31**

the notice for such meeting shall be mailed to each member of said voluntary association at his last known place of business or residence, at least seven days prior to the day of the meeting. The return of the original notice at the time and place of the meeting, with affidavit by those who called the meeting that the notice was duly mailed as aforesaid, shall be due and sufficient evidence of the call for and notice of such meeting.

Approved March 8, 1917.

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## Chapter 31.

An Act to Amend Chapter Two Hundred and Thirty-nine of the Private and Special Laws of Nineteen Hundred and Thirteen Increasing the Authority of the Recorder of the Lincoln Municipal Court.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1913, c. 239, § 3, amended.** Section three of chapter two hundred and thirty-nine of the private and special laws of nineteen hundred and thirteen is amended by adding after the word "judge" in the fourth line the following: 'Said recorder shall have the same authority as the judge to issue warrants upon complaints for crimes or offenses committed in the county of Lincoln', so that said section as amended shall read as follows:

**'Sec. 3. Additional authority granted recorder.** A recorder may be appointed in the manner provided by article five of section eight of the constitution, who shall keep the records of said court when requested so to do by the judge. Said recorder shall have the same authority as the judge to issue warrants upon complaints for crimes and offenses committed in the county of Lincoln; and in the case of absence from the court room of said judge or when the office of judge is vacant, the said recorder shall have and exercise all the powers of the judge and perform all the duties required of said judge by this act, and shall be empowered to sign and issue all papers and processes, and do all acts as fully and with the same effect as the judge could do if he were acting in the premises; and the signature of the recorder as such shall be sufficient evidence of his right to act instead of the judge. Said recorder shall reside in the county of Lincoln aforesaid and shall hold his office as recorder for the term of four years.

**Sec. 2. P. & S. L., 1913, c. 239, § 4, amended.** Said act is further amended by adding to section four the following: 'Trial justices shall receive from the county treasury fifty cents for each warrant issued under the provisions of this section', so that said section as amended shall read as follows:

**'Sec. 4. Fee of trial justice for issuance of warrant.** Said court shall have original and exclusive jurisdiction as follows: First, of all cases of forcible entry and detainer respecting estates within the county of Lincoln aforesaid; second, of all such criminal offenses and misdemeanors committed in said county of Lincoln as are by law within the jurisdiction of

trial justices; third, of all offenses against the ordinances and by-laws of any of the towns of said Lincoln county; provided, that warrants may be issued by any trial justice in said county upon complaint for offenses committed in said county of Lincoln, but all such warrants shall be made returnable before said court and no other municipal or police court, and no trial justice, shall have or take cognizance of any crime or offense committed in said county of Lincoln. Trial justices shall receive from the county treasury fifty cents for each warrant issued under the provisions of this section.'

Approved March 8, 1917.

## Chapter 32.

An Act to Amend Chapter One Hundred and Thirty-two of the Private and Special Laws of Nineteen Hundred and Thirteen, Relating to the Ferry between Indian Island and the City of Old Town.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1913, c. 132, § 2, amended.** Section two of chapter one hundred and thirty-two of the private and special laws of nineteen hundred and thirteen, is hereby amended by striking out the word "April," in the seventh line thereof and inserting in place thereof the word 'March,' so that said section as amended shall read as follows:

**'Sec. 2. Annual meeting to be held first Monday in March instead of April.** The following rates of toll are hereby established for passengers: for each passenger a resident upon Indian island and each member of said Penobscot tribe of Indians wherever resident, the sum of two cents; for all other passengers, five cents each; the rate of toll for each article of freight or baggage shall be established by the said tribe at their annual meeting held on the first Monday in March of each year by a majority vote of the members of the tribe attending such meeting.'

**Sec. 2. P. & S. L., 1913, c. 132, § 5, amended.** Section five of said chapter one hundred and thirty-two, is hereby amended by striking out in the second line thereof the word "April," and inserting in place thereof the word 'March'; also by adding to said section the following words: 'No such ferryman shall be eligible for election in any two successive years. No person shall operate the ferry boat at such ferry who is not a member of the Penobscot tribe of Indians and any person not a member of said tribe operating said ferry boat shall be fined not less than five dollars nor more than twenty dollars for each offense,' so that as amended said section shall read as follows:

**'Sec. 5. Eligibility of ferry man established.** The members of the said tribe shall at their annual meeting held on the first Monday in March of each year, elect by majority vote a suitable ferryman who shall be in charge of said ferry during the following year, such election being however subject to the approval of the agent of the tribe. No such ferryman shall be eligible

**CHAP. 88**

for election in any two successive years. No person shall operate the ferry boat at such ferry who is not a member of the Penobscot tribe of Indians, and any person not a member of said tribe operating said ferry boat shall be fined not less than five dollars nor more than twenty dollars for each offense.'

Approved March 8, 1917.

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## Chapter 33.

An Act Additional to and Amendatory of Chapter Three Hundred Forty-seven of the Private and Special Laws of Nineteen Hundred One, Entitled "An Act to Authorize the Great Northern Paper Company to Increase its Capital Stock."

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1901, c. 347, § 1, amended.** Section one of chapter three hundred forty-seven of the private and special laws of the year nineteen hundred one is hereby amended by striking out all of the last sentence in said section and substituting in place thereof the following sentence: 'Such increased stock may be sold or disposed of from time to time by said company in any lawful manner to such persons as the board of directors of said company may determine, and any such increase may consist of preferred stock or common stock or both,' so that said section when amended shall read as follows:

**'Sec. 1. Disposal of increased capital stock.** The Great Northern Paper Company is hereby authorized from time to time to increase its capital stock beyond the amount limited in its charter, as the board of directors of said company shall from time to time determine to be necessary for the purposes of said company, provided that no such increase shall take effect until the holders of not less than two-thirds in interest of each class of capital stock of said company outstanding at the time, shall have consented thereto by vote at a stockholders' meeting of said company called for the purpose, and until said corporation shall have filed a certificate of such increase with the secretary of state. Such increased stock may be sold or disposed of from time to time by said company in any lawful manner to such persons as the board of directors of said company may determine, and any such increase may consist of preferred stock or common stock or both.'

**Sec. 2. Directors may hold meetings outside of state.** Directors meetings of said Great Northern Paper Company may be held outside the state with the same effect as if held within the state, and all action heretofore taken by the directors at any meetings held outside the state shall have the same effect as if such meetings had been held within the state.

Approved March 8, 1917.



## Chapter 34.

An Act to Amend Chapter Sixty-seven of the Private and Special Laws of Nineteen Hundred and Fifteen, Relating to the Charter of the Rockland, Thomaston and Camden Street Railway.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1915, c. 67, amended.** Chapter sixty-seven of the private and special laws of nineteen hundred and fifteen is hereby amended, by striking out the word "twelve" and substituting therefor the word 'eleven' in the seventh line of said chapter, so that said chapter as amended shall read as follows:

'Section 11 of charter of Camden and Rockport Street Railroad Company, **repealed.** Section twelve of the charter of the Thomaston Street Railway Company, which is section twelve of chapter three hundred twenty-three of the private and special laws of eighteen hundred eighty-nine; section twelve of the charter of the Rockland Street Railway Company, which is chapter three hundred forty-six of the private and special laws of eighteen hundred eighty-nine; section eleven of the charter of the Camden and Rockport Street Railroad Company, which is chapter four hundred nine of the private and special laws of eighteen hundred eighty-nine, are each and all hereby repealed; and the Rockland, Thomaston and Camden Street Railway, which has succeeded to the rights, privileges, immunities and liabilities of said several corporations, shall have the same rights and be subject to the same liabilities as though said sections had never been a part of the charters of said respective railroad companies, or of the charter of said Rockland, Thomaston and Camden Street Railway.'

Approved March 8, 1917.

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## Chapter 35.

An Act to Extend the Powers of the Milo Electric Light and Power Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Extension of lines authorized.** The Milo Electric Light and Power Company is hereby authorized and empowered to extend its transmission lines into township numbered six, ninth range of lots N. W. P. Piscataquis county, the plantation of Barnard, the towns of Williamsburg, Bowerbank, Atkinson, Orneville and Medford all in the said county of Piscataquis, and the towns of LaGrange and Bradford in the county of Penobscot and such extensions may be used for all the purposes specified in the certificate of organization of said Milo Electric Light and Power Company as ratified and confirmed by chapter three hundred fifty-eight, private and special laws of the year nineteen hundred and five.

**Sec. 2. Not to transmit current beyond state boundaries; existing statutes not repealed.** Nothing herein contained is intended to repeal or shall

**CHAP. 36**

be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes; but it shall be unlawful for said corporation to transmit electric current for sale or use beyond the limits of this state, or to contract with any person or corporation for the transmission or sale of electric current beyond the limits of this state and said corporation shall not be permitted to acquire in any manner the franchises of, or consolidate with or transfer or lease its property, rights and franchises to any other corporation or person now transmitting or having the right to transmit electric power beyond the confines of the state without express authority of the legislature.

Approved March 8, 1917.

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## Chapter 36.

An Act to Amend Section One, Chapter Thirty-six of the Private and Special Laws of Nineteen Hundred and Thirteen, Entitled "An Act for the Better Protection of Alewives in Patten's Bay in the Town of Surry, in Hancock County."

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1913, c. 36, § 1, amended.** Section one of chapter thirty-six of the private and special laws of nineteen hundred and thirteen is hereby amended by inserting after the word "alewives" in the second line the words 'other than by seines and weirs' so that said section as amended shall read as follows:

**'Sec. 1. Seines and weirs permitted.** It shall be unlawful for any person to take, catch, kill or destroy any alewives other than by seines and weirs in the waters of Patten's bay in the town of Surry in Hancock county, Maine, westerly of a line running from the southern extremity of Weymouth point to Brown's point, so called, on the eastern side of Newbury neck including the whole of that portion of Patten's bay, with the exception of Patten's pond stream.

**Sec. 2. Residents of Surry given entire control and authority.** Said chapter thirty-six is further amended by adding after section three the following section:

**'Section 4.** The entire control and authority over said portion of Patten's bay, and the right to take alewives therein is hereby granted to the inhabitants of said town of Surry. Said town, at any legal meeting, when an article shall be inserted in the warrant for that purpose, is hereby authorized and empowered to take such action as shall be necessary to protect said town in the entire right of the alewife fishery in said portion of Patten's bay, and for that purpose may authorize the selectmen there chosen, to have entire control, direction, supervision and the right to issue permits for the privilege of taking alewives in said portion of Patten's bay.'

Approved March 8, 1917.

## Chapter 37.

**An Act to Provide a Police Commission for the City of Lewiston and to Promote the Efficiency of the Police Department thereof.**

**Emergency preamble.** Whereas, the Chamber of Commerce of the City of Lewiston through its duly authorized committee, and many citizens of said city have urged the enactment of a bill creating a police commission for said city and the reorganization of the police department thereunder, and,

Whereas, it has been urged that said police department as now constituted is inefficient and indifferent to the enforcement of the laws of this state and that the same have been notoriously nullified in said community, and,

Whereas, it is the purpose of said bill to remove said police department from the influence of partisan politics, to place the same with respect to appointments thereto and to continuance in office upon a merit system and to thereby secure a more general enforcement of all laws, and,

Whereas, in the opinion of the legislature such result will make for the public peace and safety of said city and of the state and the need therefor constitutes an emergency within the meaning of the provisions of the constitution of this state, now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Board of police commissioners created.** The police department of the city of Lewiston shall consist of a board of police commissioners of three members, a chief of police, and thirty-one patrolmen, two of whom shall be designated as captains, and a police matron.

**Sec. 2. Commission; composition, appointment, tenure, vacancies.** Said board of police commissioners shall consist of three resident citizens of Lewiston. The commissioners shall be appointed by the governor with the advice and consent of his council. In the first instance one shall be appointed for six years, one for four years, and one for two years. At the expiration of each of said terms a commissioner shall be appointed for a full term of six years. In case of any vacancy in the commission, the governor shall appoint a member thereto for the balance of said unexpired term. The members of the commission shall be appointed from the two political parties receiving the largest number of votes in the last preceding state election. No more than two of said members shall be from the same political party.

**Sec. 3. Qualification.** Each member of said board shall qualify after his appointment as aforesaid by being sworn by the city clerk of Lewiston or by a justice of the peace to the faithful discharge of his duties. In the event that a member qualifies before a justice of the peace, a certificate thereof shall be forthwith filed with the city clerk by said justice of the peace.

**Sec. 4. Powers and duties of commission.** The board of police commissioners hereby created shall have full power and authority, subject to the

**CHAP. 87**

provisions of this act, to organize and establish the police force of the city of Lewiston and to make all rules and regulations for the government, control and efficiency of the same. Said board shall have and exercise all the powers and be charged with all the duties relative to the organization, appointment and control of said police force now conferred or imposed upon the mayor, the municipal officers or the city council of Lewiston, and such other powers as are given them by the terms of this act.

**Sec. 5. Organization of commission and of department.** When said board of commissioners shall have qualified, they shall meet and elect a chairman and a clerk, and shall forthwith organize and establish the police force as herein authorized. They shall forthwith choose in the manner hereinafter provided, the chief of police, and thirty-one patrolmen, two of whom shall be designated as captains, and said police matron, and all of whom with said board of commissioners, shall constitute the police department of the city of Lewiston.

**Sec. 6. Candidates for patrolmen; application, examination, etc.** Candidates for appointment as patrolmen shall make application therefor to the police commission upon blanks furnished by it. All such candidates, and all candidates to fill any vacancies occurring in said force, or for any new places on said force occasioned by an increase in the number thereof, shall submit to such qualification tests as may be prescribed by the board of commissioners. The commission, by such qualification tests shall inquire into the physical, mental and moral fitness of each of the applicants for appointment. They shall place upon an eligible list all applicants who shall satisfactorily meet such tests, and every appointment shall be from men upon said eligible list. Each applicant shall remain upon said list for the period of one year from the date of his examination. The physical examination prescribed by the commission shall be conducted by a physician appointed for that purpose by it, and the fee for such physical examination shall be paid by the applicant in advance.

**Sec. 7. Eligibility; preference given to former police officers; retirement.** Any citizen of Lewiston between the ages of twenty-four and forty shall be eligible to appointment as a patrolman, provided he shall have made written application therefor and shall have satisfactorily passed the qualification tests prescribed by the board of commissioners, provided further however, that any police officer of the city of Lewiston serving at the time of the passage of this act and any former police officers of said city residents therein who shall have served a full three year term on said force, under the age of sixty-five years, and who shall pass qualification tests required by said commissioners, shall be appointed to said force to the number authorized by this act in preference to any other applicants upon said list of eligibles. Each patrolman shall be appointed to serve until he shall arrive at the age of sixty-five years, when he shall be retired unless previously removed by said commissioners as hereinafter authorized.

**Sec. 8. Authority of police officers.** All patrolmen, including said captains shall have and exercise within the limits of the city all the common law and statutory powers of constables, except service of civil processes,

and all powers given to police officers by the statutes of the state, the city charter, ordinances, by-laws and regulations of said city, and such special powers as may be conferred upon them by the board of commissioners under the authority of this act.

**Sec. 9. Chief of police and captains; how chosen; powers and duties.**

The chief of police shall be chosen by the board of commissioners by written ballot for a term of four years from the date of his election, or until his successor shall be elected and qualified. He shall qualify by being sworn by the city clerk of Lewiston or by a justice of the peace, to the faithful discharge of his duties, and in the event that he qualifies before a justice of the peace, a certificate thereof shall be forthwith filed by said justice of the peace with said city clerk. He shall have and exercise all the powers and authority now given to the city marshal by the charter and ordinances of Lewiston, and by the general statutes of the state, and such special power and authority as may from time to time be delegated to him by the board of commissioners. The board of commissioners shall appoint from the patrolmen provided for in this act two captains who shall hold office during good behavior or until retired under the provisions of this act. Said captains shall have such duties and powers as may be delegated to them by the commissioners or by the chief of police under the authority of said commissioners.

**Sec. 10. Special patrolmen; inspectors; compensation and appointment.**

Special patrolmen (with pay) shall be appointed by the chief of police from a list furnished him by the police commission, for a period of from one to thirty days; and such special patrolmen shall receive a salary of two dollars and fifty cents (\$2.50) per day, to be paid by the city treasurer upon approval by the chief of police. Special patrolmen (without pay) may be appointed by the chief of police for a period not more than one year for private duty. The board of commissioners shall have power and authority to appoint from time to time not more than two inspectors at one and the same time, who shall receive a compensation of one hundred dollars (\$100) per month, while so employed, payable by the city treasurer, with such duties as shall be determined by the board of commissioners.

**Sec. 11. Police matron; compensation; powers and duties.** A police matron shall be appointed by said board of commissioners for a term of two years with such duties and powers as may be delegated by said board of police commissioners. The salary of said police matron shall be five hundred dollars (\$500) per annum payable by the city treasurer.

**Sec. 12. Removal of chief of police; vacancy, how filled.** The chief of police may be removed by the board of commissioners for cause. He shall upon request, be furnished with a written copy of the charges against him, and shall be given a public hearing before action by the commission. Such hearing shall be held upon charges made by said commission or upon written charges being filed with said commission by five or more citizens of Lewiston. In the event of the removal of the chief of police as hereinbefore provided, or in the event of his incapacity through illness or otherwise, to perform the duties of his office, one of the captains to be desig-

**CHAP. 37**

nated by the board of commissioners shall assume the duties of the chief of police until his successor shall have been elected by said commissioners and he shall have qualified as hereinbefore provided.

**Sec. 13. Misconduct of patrolmen and captains; proceedings.** Patrolmen and captains when guilty of irregular conduct, shall be punished by fine (not to exceed one hundred dollars (\$100)) or by suspension without pay (not to exceed thirty days), for each offense, or by removal, for cause, on complaint of the chief of police to the police commissioners, or upon written complaint signed by any five citizens of Lewiston, or upon charges filed by the commission itself, except that the chief of police may suspend any patrolman for misbehavior or neglect of duty for a period not exceeding one week without preferring charges to the police commissioners, for each offense. In all cases, patrolmen, when notified of such charges, shall be entitled to a copy thereof and to a public hearing at such time and place as the police commissioners shall designate and the findings of the commissioners upon such charges shall be final. When fines shall have been imposed, such fines shall be paid to the city treasurer and the patrolman so fined shall stand suspended, without pay until the order shall be complied with.

**Sec. 14. Compensation of commissioners.** The police commissioners shall each receive a fee of five dollars (\$5) for each meeting which they attend payable by the city treasurer. They shall assemble at the call of the chairman of the board.

**Sec. 15. Compensation of chief of police.** The salary of the chief of police shall be fifteen hundred dollars (\$1500) per annum, payable in equal monthly installments by the city treasurer. The chief of police shall be entitled to two weeks vacation each calendar year (with pay) the same to be taken when and as he may desire. While upon such vacation or when incapacitated through illness or absent from his office on the business of the department, the duties of his position shall be assumed by the senior captain.

**Sec. 16. Compensation of captains.** Police captains shall receive a salary of twelve hundred dollars (\$1200) per annum, payable in equal monthly installments by the city treasurer and they shall be entitled to a vacation of two weeks each calendar year (with pay), such vacation to be prescribed by the chief of police.

**Sec. 17. Compensation of patrolmen.** The salary of patrolmen shall be one thousand dollars (\$1000) per year, until he shall have served five years when he shall receive eleven hundred dollars (\$1100) per year, payable in equal weekly installments by the city treasurer. Each patrolman shall be entitled to a vacation of two weeks in each calendar year (with pay) at such time as may be prescribed by the chief of police.

**Sec. 18. Other official positions and political activity incompatible.** No person holding office authorized by this act shall hold any other public office or take any active part in politics. Any violation shall be considered cause for removal.

**Sec. 19. Fees to be accounted for.** All fees paid to the chief of police, captains or any patrolman in their said capacities, shall be accounted for by such officers, and turned into the treasury of the city of Lewiston when received by them.

**Sec. 20. Number of patrolmen may be increased.** The board of commissioners shall have power, subject to the approval of the municipal officers of said Lewiston, to increase the number of patrolmen provided for in this act. Said patrolmen so created shall be appointed by said commission and shall be subject to all the other provisions of this act.

**Sec. 21. Former police department abolished; certain statutes repealed.** The city marshal, deputy marshal, captains, policemen and other officers of the police department of the city of Lewiston at the time of the passage of this act, shall continue in office with all the powers and duties with which they are by law vested, until the reorganization of said police department as herein provided shall be perfected and the chief of police and patrolmen herein provided for shall have been appointed. All said officers in said police department existing at the date of the passage of this act are hereby abolished as and of the date of the appointment of said chief of police and patrolmen under this act. Such parts of the charter of the city of Lewiston, of chapter two hundred and ninety-three of the private and special laws of Maine, eighteen hundred and eighty, and all other acts or parts of acts inconsistent herewith are hereby repealed.

**Sec. 22. Date when effective.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved March 8, 1917.

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## Chapter 38.

**An Act to Repeal Chapter Two Hundred Seventy-one of the Private and Special Laws of Nineteen Hundred and Eleven, Relating to Ways and Bridges in Plantation Number 14, Washington County.**

**Emergency preamble.** Whereas it is necessary that the control of the highway and bridges in plantation Number 14, Washington county, be taken from said plantation and transferred to the county commissioners of Washington county early in the spring of nineteen hundred and seventeen, and whereas in the judgment of the legislature these facts render the passage of this act immediately necessary for the preservation of the public peace, health and safety and constitute an emergency within the meaning of the constitution; now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1911, c. 271, repealed.** Chapter two hundred seventy-one of the private and special laws of nineteen hundred and eleven, relating to ways and bridges in plantation Number 14, in Washington county be, and hereby is, repealed.

**CHAP. 39**

**Sec. 2. Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved March 8, 1917.

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## **Chapter 39.**

**An Act to Enlarge the Jurisdiction of the Municipal Court of Dexter.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Concurrent jurisdiction in Corinna.** The municipal court of Dexter shall have concurrent jurisdiction with the municipal court of Newport in all matters civil and criminal in the town of Corinna.

**Sec. 2. Inconsistent statutes repealed.** All acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 12, 1917.

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## **Chapter 40.**

**An Act to Extend the Charter of the North Bridgton Village Corporation.**

*Be it enacted by the People of the State of Maine, as follows:*

**Charter extended for two years.** The rights, powers and privileges of the North Bridgton Village Corporation, which were granted by chapter one hundred thirty-eight of the private and special laws of nineteen hundred fifteen, are hereby extend for two years additional; and the persons named in said act, their associates and successors, shall have the rights, powers and privileges that were granted to them by said act to be by them exercised as therein set forth, and such further time of two years for their acceptance of the charter of said corporation as provided by section eight of said act, is hereby granted.

Approved March 12, 1917.

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## **Chapter 41.**

**An Act to Enable the Inhabitants of the Town of Fort Fairfield to Assume All the Rights, Privileges, Duties, Contracts and Obligations of Fort Fairfield Village Corporation in Said Fort Fairfield.**

**Emergency Preamble.** Whereas important contracts relating to adequate fire protection for the inhabitants of the town of Fort Fairfield in the county of Aroostook are affected by this act, so that it will become necessary for provision to be made therefor by the inhabitants of said town at the next annual meeting thereof to be held in March nineteen hundred seventeen, in event that this act becomes effective as herein provided by the



votes of the inhabitants of said town of Fort Fairfield and by the Fort Fairfield Village Corporation;

And Whereas, by reason of the foregoing facts this act is necessary for the purpose of the public health, peace and safety, and in the opinion of this legislature constitutes an emergency, within the meaning of the constitution; now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Acquisition of property authorized.** The inhabitants of the town of Fort Fairfield in the county of Aroostook, by their municipal officers, acting for and in behalf of said inhabitants, when authorized by vote of said inhabitants, at any legal meeting thereof, are hereby authorized and empowered to assume, acquire and take over all of the property owned by Fort Fairfield Village Corporation and also all the rights, privileges, duties, contracts and obligations of said corporation.

**Sec. 2. Corporation authorized to relinquish.** The Fort Fairfield Village Corporation by its assessors, acting for and in behalf of said corporation, when authorized by a vote of said corporation in any legal meeting thereof, is hereby authorized and empowered to transfer and convey to the inhabitants of the town of Fort Fairfield, by deeds of transfer and conveyance, all of the property owned by said corporation, and also, to turn over and relinquish to the inhabitants of the town of Fort Fairfield, all of the rights, privileges, duties, contracts and obligations of said Fort Fairfield Village Corporation now in force and existing, and to enter into any necessary contracts with the said inhabitants of the town of Fort Fairfield, whereby said inhabitants shall assume all of the obligations, duties and contracts of said corporation.

**Sec. 3. Corporation dissolved when act accepted.** If and when the said inhabitants of said town of Fort Fairfield and the voters of said Fort Fairfield Village Corporation shall have acted under the provisions of this act, and by their votes shall have voted in legal meetings legally called and held to accept and to carry into effect the provisions of this act, then in such event, the Fort Fairfield Village Corporation shall be dissolved and cease to exist.

**Sec. 4. Emergency clause.** In view of the emergency cited in the preamble, this act, two-thirds of all the members elected in each House having so directed, shall take effect when approved.

Approved March 12, 1917

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## Chapter 42.

An Act to Extend the Charter of the Rumford Falls and Bethel Street Railway.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended for two years.** The time within which the Rumford Falls and Bethel Street Railway, a corporation organized under

**CHAP. 48**

the general laws of the state, shall actually commence business is hereby extended two years from the date when this act shall take effect.

**Sec. 2. Existing statutes remain in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 15, 1917.

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## Chapter 43.

**An Act to Ratify the Change of Name and Amount of Capital Stock of Mercantile Trust Company, and to Amend its Charter.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Name changed; capital stock increased.** The change of name of the Mercantile Trust Company, a corporation created by and organized under the provisions of chapter four hundred and forty-two of the private and special laws of eighteen hundred and ninety-seven, to Casco Mercantile Trust Company; and the increase of its capital stock from one hundred thousand dollars to five hundred thousand dollars; and all acts and doings of said trust company with reference to the issuing of said stock, are hereby legalized, ratified, confirmed, and made valid.

**Sec. 2. Acts performed under either name valid.** All acts in reference to existing contracts, obligations or duties of said corporation, shall be valid whether the name Mercantile Trust Company or the name Casco Mercantile Trust Company be used, and no action or proceeding at law or in equity brought by or against said corporation under either corporate name shall be abated, discontinued or dismissed, because of the use of either of said corporate names. All business, things, or acts heretofore done by said trust company under the said name of Casco Mercantile Trust Company, and which may hereafter be done by said corporation under said name up to the date this act takes effect, are hereby legalized, ratified, confirmed, and made valid.

**Sec. 3. P. & S. L. c. 442, § 3, amended.** Section three of said chapter four hundred and forty-two is hereby amended by striking out the word "but" in the last sentence of said section after the word "company" and before the word "said," and inserting in place thereof the word 'and'; by striking out the word "not" in said last sentence after the word "shall" and before the word "have"; by striking out the word "or" in said last sentence after the word "power" and before the word "authority", and inserting in place thereof the word 'and;' and by adding to the said sentence after the word "branches" the following words, 'as provided by law'; so that said section, as amended, shall read as follows:

**'Sec. 3. May establish branches.** The purposes of said corporation and the business which it may perform, are: first, to receive on deposit, money,

coin, bank notes, evidences of debt, accounts of individuals, companies, corporations, municipalities and states, allowing interest thereon, if agreed, or as the by-laws of said corporation may provide; second, to borrow money, to loan money on credits, real estate, personal or collateral security, and to negotiate loans and sales for others; third, to own and maintain safe deposit vaults, with boxes, safes, and other facilities therein to be rented to other parties for the safe keeping of moneys, securities, stocks, jewelry, plate, valuable papers and documents, and other property susceptible of being deposited therein, and may receive on deposit for safe keeping, property of any kind entrusted to it for that purpose; fourth, to act as agent for issuing, registering, and countersigning certificates, bonds, stocks, and all evidences of debt or ownership in property; fifth, to hold by grant, assignment, transfer, devise or bequest, any real or personal property or trusts duly created, and to execute trusts of every description; sixth, to act as assignee, receiver, executor, and no surety shall be necessary upon the bond of the corporation, unless the court or officer approving such bond shall require it; seventh, to do in general all the business that may lawfully be done by a trust and banking company, and said corporation shall have the power and authority to establish branches as provided by law.'

**Sec. 4. P. & S. L., 1897, c. 442, § 4, amended.** Section four of said chapter four hundred and forty-two is hereby amended by striking out the words "five hundred thousand" in the first sentence of said section, and inserting in place thereof the words 'one million,' so that said section, as amended, shall read as follows:

**'Sec. 4. Capital stock may be increased to one million dollars.** The capital stock of said corporation shall not be less than fifty thousand dollars, divided into shares of one hundred dollars each, with the right to increase the said capital stock at any time by a vote of the shareholders to any amount not exceeding one million dollars. Said corporation shall not commence business as a trust or banking company, until stock to the amount of at least fifty thousand dollars shall have been subscribed and paid in, in cash.'

**Sec. 5. P. & S. L., 1897, c. 442, § 6, amended.** Section six of said chapter four hundred and forty-two is hereby amended by inserting the words 'not less than,' in the second sentence of said section after the word "of" and before the word "five," so that said section, as amended, shall read as follows:

**'Sec. 6. Executive board to be not less than five; may be more.** All the corporate powers of this corporation shall be exercised by a board of trustees, who shall be residents of this state, whose number and term of office shall be determined by a vote of the shareholders at the first meeting held by the incorporators and at each annual meeting thereafter. The affairs and powers of the corporation may, at the option of the shareholders, be entrusted to an executive board of not less than five members, to be, by vote of the shareholders, elected from the full board of trustees. The trustees of said corporation shall be sworn to the proper discharge of their duties, and they shall hold office until others are elected and qualified in their stead. If

**CHAP. 44**

a trustee or director dies, resigns, or becomes disqualified for any cause, the remaining trustees or directors may appoint a person to fill the vacancy until the next annual meeting of the corporation. The oath of office of such trustee or director shall be taken within thirty days of his election, or his office shall become vacant. The clerk of such corporation shall, within ten days, notify such trustees or directors of their election and within thirty days shall publish the list of all persons who have taken the oath of office as trustees or directors.'

Approved March 15, 1917.

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## Chapter 44.

An Act to Legalize and Make Valid the Doings of the Municipal Officers of Vinalhaven in Laying Out a Way over the Tide Waters across Indian Creek in said Vinalhaven and Authorizing the Construction of a Suitable Bridge across the Same.

**Emergency preamble.** Whereas, the proceedings of the municipal officers of the town of Vinalhaven in laying out a town way across Indian Creek, so called, in said town, contemplate a permanent improvement of the highway which should be constructed at an early date; therefore, in the judgment of the legislature, the measure herein proposed is immediately necessary for the public peace, health and safety, and constitutes an emergency within the meaning of the constitution, shall take effect when approved by the governor;

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Acts of town meeting of Feb. 26, 1916, validated.** The proceedings of the selectmen of Vinalhaven, acting as municipal officers thereof, in laying out a town way across Indian Creek, so called, in said town from the terminus, at Indian Creek, of the way as laid out by said selectmen across land of James P. Armbrust, at their meeting held February twenty-six, in the year of our Lord nineteen hundred and sixteen, thence easterly across said creek about five hundred (500) feet to the end of the dump bank of the quarries owned by J. Leopold & Co., are hereby made legal and valid, and authority is hereby granted for the building of said way with a suitable bridge across said Indian Creek.

**Sec. 2. Emergency clause.** In view of the emergency cited in the preamble this act shall take effect when approved.

Approved March 15, 1917.

## Chapter 45.

An Act Authorizing the Sale of the Property and Assets of the Dead River North Branch Log Driving Company, and Providing for the Dissolution of said Corporation.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Transfer authorized.** Dead River North Branch Log Driving Company is hereby authorized to sell and Kennebec Log Driving Company is hereby authorized to purchase all of the property and assets of said Dead River North Branch Log Driving Company.

**Sec. 2. P. & S. L., 1891, c. 208, repealed.** Chapter two hundred and eight of the private and special laws of eighteen hundred and ninety-one is hereby repealed.

**Sec. 3. Dates when effective.** This act shall take effect in ninety days after the final adjournment of the legislature so far as necessary to authorize the sale by Dead River North Branch Log Driving Company of all of its property and assets as hereinbefore provided and shall take effect in one hundred twenty days after the final adjournment of the legislature so as to repeal said act.

Approved March 15, 1917.

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## Chapter 46.

An Act Authorizing the Sale of the Property and Assets of the Dead River Log Driving Company, and Providing for the Dissolution of said Corporation.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Transfer Authorized.** Dead River Log Driving Company is hereby authorized to sell and Kennebec Log Driving Company is hereby authorized to purchase all of the property and assets of said Dead River Log Driving Company.

**Sec. 2. P. & S. L., 1880, c. 279, and 1909, c. 43, repealed.** Chapter two hundred and seventy-nine of the private and special laws of eighteen hundred eighty as amended by chapter forty-three of the private and special laws of nineteen hundred and nine is hereby repealed.

**Sec. 3. Dates when effective.** This act shall take effect in ninety days after the final adjournment of the legislature so far as necessary to authorize the sale by Dead River Log Driving Company of all of its property and assets as hereinbefore provided and shall take effect in one hundred twenty days after the final adjournment of the legislature so as to repeal said act.

Approved March 15, 1917.

## Chapter 47.

An Act to Ratify and Confirm the Consolidation of the Knox Gas and Electric Company with the Rockland, Thomaston and Camden Street Railway.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Transfer of Knox Gas and Electric Company's property and franchises, validated.** The action of the Rockland, Thomaston and Camden Street Railway, a corporation organized under the provisions of chapter one hundred ninety-three of the private and special laws of eighteen hundred ninety-one, and as amended by chapter two hundred twelve of the private and special laws of nineteen hundred one, in purchasing the property, capital stock, rights, privileges, immunities and franchises of the Knox Gas and Electric Company as provided in said amended act, is hereby ratified, confirmed, approved and declared legal and valid; and the Rockland, Thomaston and Camden Street Railway which has succeeded to the locations, powers, privileges, rights, immunities, franchises, property and liabilities of said Knox Gas and Electric Company shall have, hold, possess, exercise and enjoy in its own name said locations, powers, privileges, rights, immunities, franchises and property of said Knox Gas and Electric Company as though originally granted to it.

**Sec. 2. Location of poles made valid.** The location of the poles, wires and fixtures of the said Rockland, Thomaston and Camden Street Railway as now established and maintained in Camden, Rockport, Rockland, Thomaston, South Thomaston and Warren are confirmed and made valid.

Approved March 15, 1917.

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## Chapter 48.

An Act to Amend Chapter Four Hundred Twenty-four of the Private and Special Laws of Nineteen Hundred Seven, and Changing the Time of the Annual Meeting of Kittery Water District.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1907, c. 424, amended.** Chapter four hundred and twenty-four of the private and special laws of nineteen hundred and seven is hereby amended by striking out the word "March" in the fourteenth line of section five and substituting therefor the word 'July', so that said section as amended shall read as follows:

**'Sec. 5. Annual election of officers to be held in July instead of March.** All the affairs of said water district shall be managed by a board of trustees composed of three members, to be chosen by ballot by the legal voters within said water district, the first election to be at the meeting of the legal voters of the said corporation to be called to accept this act, one to serve until the annual meeting to be held in nineteen hundred and eight, one to serve until the annual meeting to be held in nineteen hundred and nine, and

one to serve until the annual meeting in nineteen hundred and ten. Whenever the term of office of a trustee shall expire the legal voters of the said water district shall elect a successor to serve for a full term of three years, and if any other vacancy occurs it may be filled in like manner for the unexpired term. The annual election of officers shall be in the month of July. As soon as convenient after the board of trustees has been chosen, the said trustees shall hold a meeting at the office of the selectmen in the town of Kittery, and organize by the election of a chairman and clerk, adopt a corporate seal, and when necessary, may choose a treasurer and all other needful officers and agents for the proper management of the affairs of said water district. Said trustees may procure an office and incur such expenses as may be necessary. Each member shall receive in full compensation for his services an allowance of fifty dollars per year, or such other less sum as the said water district at any legal meeting may prescribe. The said water district, at any legal meeting thereof, called for the purpose, may adopt such by-laws and provisions, not inconsistent with the laws and constitution of this state and the United States, as they may deem expedient and necessary for the better government and regulation of the municipal affairs within said water district, in which case, such by-laws and provisions so adopted, shall extend to said water district as fully, to all intents and purposes, as the other provisions of this act, subject only to alterations or additions by a two-thirds vote, at a legal meeting of the water district called for the purpose.'

Approved March 15, 1917.

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## Chapter 49.

An Act Confirming and Ratifying the Organization of the Penobscot Law Library Association.

*Be it enacted by the People of the State of Maine, as follows:*

**Organization of corporation ratified; name changed; title to books confirmed.** The organization of the corporation sometimes known as the Penobscot Law Library and sometimes known as the Penobscot Bar Library Association of Bangor, in the county of Penobscot, consisting of members of the bar of said Penobscot county, and which has been in existence since eighteen hundred thirty-eight, be, and the same is hereby, ratified and confirmed.

The name of said corporation shall henceforth be Penobscot Bar Library Association, and the title to all books now in the law library room in the court house in said Bangor is hereby confirmed in said corporation, likewise the title to all books hereafter in any manner obtained.

Approved March 15, 1917.

## Chapter 50.

An Act to Extend the Provisions of Chapter Two Hundred and Fourteen of the Private and Special Laws of Nineteen Hundred Fifteen, Entitled "An Act to Authorize the Town of Lisbon to Supply Gas and Electricity."

*Be it enacted by the People of the State of Maine, as follows:*

**Charter extended two years.** Chapter two hundred and fourteen of the private and special laws of the year one thousand nine hundred and fifteen, is hereby continued in force, and the incorporators named therein are hereby given a further period of two years from the time this act shall take effect in which to organize and commence business under said act.

Approved March 15, 1917.

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## Chapter 51.

An Act to Ratify and Confirm the Incorporation of the Pine Grove Cemetery Association of Brownfield.

*Be it enacted by the People of the State of Maine, as follows:*

**Incorporation, reorganization and change of name ratified.** The incorporation, reorganization and change of name of the Pine Grove Cemetery Association of Brownfield, Oxford county, originally incorporated under the general law, October twenty-fourth, eighteen hundred and eighty-eight, as the Brownfield Centre Cemetery Association, is hereby ratified and confirmed. Said association shall have, and is hereby granted and given all the powers conferred upon corporations organized under general law for the purpose of purchasing, holding, owning, managing and protecting lands for burying grounds or cemeteries, and for the purpose of holding donations or legacies for the perpetual care of burial lots or grounds and like purposes as provided in chapters twenty-one and sixty-two of the revised statutes.

Approved March 15, 1917

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## Chapter 52.

An Act to Extend the Charter of the Rockland, South Thomaston and St. George Railway.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended two years.** The rights, powers and privileges of the Rockland, South Thomaston and St. George Railway, which were granted to it by chapter two hundred and five of the private and special laws of the year nineteen hundred and thirteen and extended by chapter one hundred and sixty-eight of the private and special laws of the year



**CHAP. 53**

nineteen hundred and fifteen, are hereby extended for two years additional; and said corporation shall have the rights, powers and privileges, that were granted to it by said act, to be exercised by it for the same purposes as specified in said act.

**Sec. 2. Existing statutes continued in force; proviso.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes. Provided, however, that the prohibition contained in section twenty-eight, chapter fifty-eight, revised statutes of nineteen sixteen against the construction and maintenance of a railroad over streets, roads or ways already occupied by a street railroad shall not alter or limit any authority specifically conferred by this act.

Approved March 15, 1917.

## Chapter 53.

An Act Additional to Chapter Eighty-two of the Private and Special Laws of Nineteen Hundred Three, Entitled "An Act to Incorporate the Gardiner Water District."

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Authority granted to supply water to city of Hallowell.** The Gardiner Water District, if its trustees deem it expedient, is hereby authorized to supply water to the Hallowell Water Works, and through said Hallowell Water Works, to the inhabitants of the city of Hallowell, for domestic, sanitary and municipal purposes.

**Sec. 2. Quantity of water furnished; how determined.** The quantity of water to be furnished and the charge to be made for the same, shall be determined by said Gardiner Water District and said Hallowell Water Works, by agreement, subject to the approval of the public utilities commission.

Approved March 15, 1917.

## Chapter 54.

An Act to Amend Section One of Chapter One Hundred Seventy-seven of the Private and Special Laws of Eighteen Hundred Ninety-nine, Relating to the Taking of Smelts in the Saco River.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1899, c. 177, § 1, amended.** That section one of chapter one hundred seventy-seven of the private and special laws of eighteen hundred ninety-nine, be amended by striking out the words "Fletchers Neck" and substituting therefor the words 'Basket island' so that said section one as amended shall read as follows:

**CHAP. 55**

**'Sec. 1. Boundaries altered.** All persons are hereby prohibited from taking smelts by means of purse or drag seines in the Saco river or in Saco bay, inside of a line drawn from the most easterly point of Basket island, in the city of Biddeford, to the mouth of Goose Fair brook, said Goose Fair brook being the dividing line between the town of Old Orchard and the city of Saco.'

Approved March 15, 1917.

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## **Chapter 55.**

An Act to Authorize the National Camps and Hotel Company to Construct and Maintain a Wharf in Sebago Lake.

*Be it enacted by the People of the State of Maine, as follows:*

**Construction and maintenance of wharf.** The National Camps and Hotel Company, a corporation duly established and existing under the laws of this state, its successors or assigns, are hereby authorized and empowered to construct and maintain a wharf in Sebago lake at South Casco, in the town of Casco, county of Cumberland, near said camps and hotel and to extend the same, far enough into said lake to allow the landing of boats and steamers.

Approved March 15, 1917.

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## **Chapter 56.**

An Act to Amend Chapter Eight of the Private and Special Laws of Eighteen Hundred and Eighty-seven, and to Set Off Certain Real Estate of Theodore B. and Addie S. B. Weston from the Madison Village Corporation.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Boundaries altered.** The limits of the Madison Village Corporation, as formed under chapter eight of the private and special laws of the year eighteen hundred and eighty-seven, are hereby changed by withdrawing therefrom that portion of Weston Island, so called, owned by Theodore B. Weston and situated in the Kennebec river, and that part of the farm of said Weston lying north and east of the following described line, viz: beginning at a twin butternut tree, eight and ten inches in diameter, located on the bank of the Kennebec river, running thence south, three degrees and forty minutes west, one hundred and thirty-two rods, to a two-inch pine tree located at an abrupt angle in the northerly line of land of Nathan A. Weston, formerly the B. P. J. Weston farm, said pine tree and angle being on the dividing line between land of said Theodore B. Weston and land of said Nathan A. Weston, which line runs to the Kennebec river on a course north, fifty degrees east, and said pine tree is located eighty-one rods from said river on said line, so that said boundaries of said Madison Village Corporation shall not include and embrace the said island and said portion of the farm of said Theodore B. Weston above described.

## CHAP. 57

**Sec. 2. Two hundred acres, more or less, withdrawn.** Said boundaries and limits of said Madison Village Corporation are hereby further changed by withdrawing therefrom about two hundred acres of land owned by Addie S. B. Weston, lying east of Great Brook, so called, so that said Corporation boundaries and limits shall not include and embrace her above described land.

Approved March 15, 1917.

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## Chapter 57.

An Act to Extend the Charter of the Androscoggin Valley Railroad Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended two years.** All the rights, powers and privileges of the Androscoggin Valley Railroad Company which were granted by chapter two hundred and thirty-four of the private and special laws of nineteen hundred nine, are hereby extended for two years.

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 15, 1917.

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## Chapter 58.

An Act to Authorize the Town of Richmond to Acquire the Property of Richmond Water Works, and to Construct and Maintain a System of Water Works within said Town.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. How transfer may be made.** The town of Richmond, in the county of Sagadahoc, is hereby authorized and empowered to purchase, and Richmond Water Works is hereby authorized to sell and convey to said town of Richmond all the property of said corporation, or any part thereof, connected with its water system in said town of Richmond, together with all the rights and privileges connected therewith, subject, however, to any mortgage thereon, given to secure the payment of bonds not due at the time of such sale and conveyance, and to any contract for power for pumping entered into by said corporation. Said town of Richmond by its municipal officers, when duly authorized by a vote of the inhabitants of said town, and said corporation are hereby authorized and empowered to enter into a mutual written agreement for the purchase and sale of said property upon such terms as may be agreed upon by said town and said corporation.

## CHAP. 58

**Sec. 2. Town authorized to construct and maintain system of water works.** After said town has acquired by purchase the property named in the foregoing section, said town of Richmond is hereby authorized and empowered to construct, maintain and operate a system of water works of sufficient capacity to supply to said town, to its inhabitants, to corporations located in said town, to public buildings now erected or which may be hereafter erected in said town, pure water for municipal, domestic and other lawful purposes, including the extinguishment of fires, with all the rights and privileges and subject to all the liabilities and obligations conferred and incumbent upon water companies by the general laws of the state.

**Sec. 3. Right of eminent domain.** Said town is hereby authorized and empowered to acquire by purchase, or by exercise of the right of eminent domain, which right is hereby expressly delegated to said town for said purpose, any real or personal estate other than that acquired from said company necessary and convenient for the purposes aforesaid.

**Sec. 4. Source of water supply; rights and privileges as to construction, etc.** For the purposes aforesaid, said town is hereby authorized to take, detain and use the waters of any river, ponds, streams or springs in said town of Richmond, to conduct and distribute the same into and through said town, and is also authorized to dig, drive, drill and maintain wells and to conduct and distribute the water from the same into and through said town, to survey for, locate, lay, erect and maintain suitable dams, reservoirs, machinery, pipes, aqueducts, and fixtures; to carry its pipes or aqueducts under or over any water course, bridge, street, highway or other way; and said town is further authorized to enter upon and excavate any highway or other way in such manner as least to obstruct the same, to enter, pass over and excavate any land and to take and to acquire, by purchase or by the exercise of the right of eminent domain, any rights of way or of water, and in general to do any acts necessary, convenient or proper for carrying out any of the purposes hereinbefore specified. And said town is further authorized, for the purpose of making all needed repairs, or service connections, to lay its pipes through any public or private lands and ways, with the rights to enter upon the same and dig therein. Said town is also hereby authorized to lay, construct and maintain its pipes across the location of any railroad, and all work within the limits of the railroad locations shall be done under the supervision and to the reasonable satisfaction of the chief engineer of the railroad company.

**Sec. 5. Damages; liability of town.** Said town shall be held liable to pay all damages that shall be sustained by any person or by the taking of any land or other property, or by flowing or by excavating through the same, the same to be taken and the damages assessed therefor in the manner provided by law.

**Sec. 6. Pipes, aqueducts, etc., may lay down and maintain.** Said town is hereby authorized to lay down and maintain in and through the streets and ways of said town, all such pipes, aqueducts and fixtures as may be necessary for the purposes hereinbefore specified.

## CHAP. 59

**Sec. 7. Contracts to supply water.** Said town is hereby authorized to contract with the United States, the State of Maine, and all persons and corporations to supply the same with water for all purposes upon such terms and conditions as may be mutually agreed upon, and to establish written regulations for the use of said water.

**Sec. 8. Bond issue authorized.** For the purpose of raising money to carry out the provisions of this act, the town of Richmond may issue its bonds, with interest coupons, said bonds to be signed by the municipal officers and treasurer of said town, when authorized by a vote of said town, to an amount, which, taken in connection with the other indebtedness of the town, will not exceed the amount limited by the constitution of Maine. Said coupons need not be signed as the bonds, but shall have printed or lithographed thereon the signature of the town treasurer.

**Sec. 9. Proviso as to date when certain sections effective.** The provisions of sections two, three, four, five, six and seven of this act shall not become effective until said town of Richmond has acquired by purchase the property described in section one of this act.

Approved March 16, 1917.

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## Chapter 59.

An Act to Extend the Charter of the Bluehill Water Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended two years.** All the rights, powers and privileges of the Bluehill Water Company which were granted by chapter one hundred seventy-two of the private and special laws of one thousand nine hundred and thirteen, are hereby extended for and during the period of two years from the first day of July, in the year of our Lord one thousand nine hundred and seventeen. And all the rights, powers and privileges that were granted by said act, may and shall be exercised in the same manner and for the same purposes as provided in said act.

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 16, 1917.

## Chapter 60.

An Act to Revive and Extend the Charter of the Penobscot Bay Water Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charters revived and extended.** Chapter three hundred and fifteen of the private and special laws of nineteen hundred and nine, entitled, "An Act to Incorporate the Penobscot Bay Water Company," as amended by chapter two hundred and fifty-five of the private and special laws of nineteen hundred and eleven, is hereby revived and extended to July first, nineteen hundred and nineteen.

**Sec. 2. Special provision as to organization.** William T. Haines and John J. Moore are authorized to organize said corporation.

**Sec. 3. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 16, 1917.

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## Chapter 61.

An Act to Legalize the Doings of the Fairfield Center Cemetery Association.

*Be it enacted by the People of the State of Maine, as follows:*

**Former acts validated.** The acts and doings of the Fairfield Center Cemetery Association in incorporating, and all acts and doings of said association since incorporating, to wit: meetings, purchase of property, and sale of lots, are hereby ratified, confirmed and made valid.

Approved March 16, 1917.

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## Chapter 62.

An Act to Change the Name of Marsh Island.

*Be it enacted by the People of the State of Maine, as follows:*

**Name of Marsh Island changed to Vaill.** The name of Marsh Island, situated at the southerly end of Long Island in Casco bay within the limits of the city of Portland, is hereby changed to Vaill Island.

Approved March 16, 1917.

## Chapter 63.

**An Act to Repeal Chapter Two Hundred Seventy-six of the Private and Special Laws of Nineteen Hundred Eleven, Relating to the Construction of Public Buildings on Public Grounds by the City of Portland.**

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1911, c. 276, repealed.** Chapter two hundred seventy-six of the private and special laws of nineteen hundred eleven entitled, "An act authorizing the City of Portland to construct public buildings upon Public Grounds" is hereby repealed.

Approved March 16, 1917.

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## Chapter 64.

**An Act to Extend the Charter of the Waldo Street Railway Company.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended.** The time within which the Waldo Street Railway Company shall actually commence business under its charter is hereby extended two years from the date when this act takes effect.

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 16, 1917.

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## Chapter 65.

**An Act to Extend the Charter of the Lincoln Sewerage Company.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended two years.** The rights, powers and privileges of the Lincoln Sewerage Company, as granted by chapter seventy-three of the private and special laws of nineteen hundred thirteen, and revived and extended by chapter thirty-two of the private and special laws of nineteen hundred fifteen, are hereby revived and extended for, and during the period of two years from and after the date when this act shall take effect; and the persons and corporations named in said act, their associates, successors and assigns, shall have all the rights, powers and privileges that were granted them by said act, to be exercised in the same manner and for the same purposes as provided in said act.

## CHAP. 66

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 16, 1917.

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## Chapter 66.

**An Act to Enable the Town of Presque Isle to Assume the Obligations of the Presque Isle Village Fire Department Arising out of a Contract with the Presque Isle Water Company.**

**Emergency preamble.** Whereas, important contracts relating to adequate fire protection for the inhabitants of said town of Presque Isle are affected by this act, so that it will become necessary for provision to be made therefor by the inhabitants of said town at the next annual meeting thereof, to be held in March, 1917, in event this act becomes effective as herein provided, by the votes of the inhabitants of said town of Presque Isle and by said Presque Isle Village Corporation,

And whereas by reason of the foregoing facts an emergency exists, such as is contemplated by the constitution, and the passage of this act is immediately necessary to public health, peace and safety,

**Emergency clause.** Resolved, in view of the emergency set forth herein, this act, two-thirds of all the members elected to each house having so directed, shall take effect when approved.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Transfer of Presque Isle Fire Department property authorized.** The town of Presque Isle by its municipal officers acting for and in behalf of said town, when authorized by a vote of said town, at a regular annual town meeting is hereby authorized and empowered to acquire and take over all the property owned by the Presque Isle Village Fire Department, and also to assume all of the obligations of said Presque Isle Village Fire Department, including all necessary payments of money, arising out of a contract between said Presque Isle Village Fire Department and the Presque Isle Water Company, dated the eighteenth day of May, 1911, and to make any necessary contracts therefor.

**Sec. 2. Relinquishment authorized.** The Presque Isle Village Fire Department by its directors acting for and in behalf of said Presque Isle Village Fire Department, when authorized by a vote of said Presque Isle Village Fire Department, is hereby authorized and empowered to transfer and convey to said town of Presque Isle by deeds of transfer and conveyance all of the property owned by said Presque Isle Village Fire Department, and also to enter into any necessary contracts with said town whereby said town shall assume all of the obligations of said Presque Isle Village Fire Department arising out of said contract between said Presque Isle Village Fire Department and said Presque Isle Water Company.

Approved March 16, 1917.



## Chapter 67.

**An Act to Authorize the County Commissioners of Hancock County to Complete the Records in the Registry of Deeds in said County.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Copies to be made of records in Lincoln county registry of deeds, pertaining to lands now part of Hancock county.** The county commissioners of Hancock county are hereby authorized and empowered to procure some suitable person to make copies and indexes, in proper volumes to be furnished by the county commissioners of said county for preservation in the Hancock county registry of deeds, of all records pertaining to titles of land now embraced in the present limits of Hancock county, and now in the registry of deeds in the county of Lincoln, and of the certificates of the records thereof.

**Sec. 2. Copies to be attested; admissible in evidence as original.** The copy of each deed or instrument made under the authority of this act and of the certificate of the record thereof, shall be attested by the person employed by the county commissioners by authority of section one of this act, as a true copy from the Lincoln county records of deeds, in the Hancock registry, and copies of the record of such copies and certificates shall be admissible in evidence in all cases where copies of the original records would be admissible.

**Sec. 3. Compensation of person making copies.** For the copy of such records, excepting the marginal notes of the discharge of mortgages which notes shall be included in the original mortgage as one copy, and the proper indexing of the same, said person employed by the county commissioners by authority of section one of this act shall receive therefor sixty cents, for each deed or instrument, to be paid out of the treasury of said county of Hancock, as soon as completed.

Approved March 19, 1917.

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## Chapter 68.

**An Act to Annex Certain Islands in Casco Bay to the County of Sagadahoc and the Town of Phippsburg.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1905, c. 200, repealed.** Chapter two hundred of the private and special laws of nineteen hundred five, is hereby repealed.

**Sec. 2. Certain islands in Casco Bay annexed to Sagadahoc county.** Bushy, Hen, Bear, Malaga, Burnt Coat, Black Snake, Wood, Little Wood and Gooseberry islands situated in Casco bay, are hereby made and declared to be a part of the county of Sagadahoc and of the town of Phippsburg therein.

Approved March 19, 1917.

## Chapter 69.

An Act to Extend and Amend the Charter of the Eastern Maine Railroad.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended.** The rights, powers and privileges of the Eastern Maine Railroad, which were granted by chapter one hundred eighty-eight of the private and special laws of nineteen hundred eleven, and extended and amended by chapter eighty-six of the private and special laws of nineteen hundred thirteen, and which were further extended by chapter three of the private and special laws of nineteen hundred fifteen, are hereby extended for two years additional, and the persons named in said act and their associates and successors shall have the rights, powers and privileges that were granted to them by said act and the amendments thereof, to be exercised by them for the same purposes as specified in said act and the amendments thereof.

**Sec. 2. Extension of lines authorized.** Said railroad is hereby authorized, upon compliance with section six of chapter fifty-six of the revised statutes, so far as applicable to this act, to extend its lines from some point on its present location in Orient, or in Weston, in a general easterly or northeasterly direction, to the eastern boundary of the state, with all the rights and privileges so far as this extension is concerned, and subject to all the conditions, provisions and limitations contained in the original act, under which this road was incorporated, and amendments thereto.

**Sec. 3. Special proviso.** All rights herein granted are on the express condition that said Eastern Maine Railroad shall, on or before the expiration of two years, have graded, ready for rails and sleepers, at least thirty miles of its road-bed, and if this condition is not complied with, this act shall not confer any further rights after said two years.

**Sec. 4. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 19, 1917.

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## Chapter 70.

An Act to Amend Chapter Four Hundred Sixteen of the Private and Special Laws of Nineteen Hundred and Seven, Relating to the Schools of the City of Augusta.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1907, c. 416, § 4, amended.** Section four of said chapter is hereby amended by striking out all of said section after the word "tax" in the fortieth line thereof and adding instead the following: 'A special meet-

## CHAP. 70

ing may be called at any time in the manner hereinbefore prescribed, when in the opinion of the chairman of the board, expressed in his written request to the mayor, the welfare of the public schools demands it. At any meeting authorized by this section the electors present may by vote borrow money for the building and reconstruction of school houses and the purchase of lots therefor,' so that said section as amended shall read as follows:

**'Sec. 4. Special meeting; how called.** On the second Monday of May at half past seven o'clock in the evening, annually, commencing with the year nineteen hundred and eight, a general meeting of the citizens of said city, qualified to vote at municipal elections therein, and without regard to their political affiliations, shall be convened in the city hall of said city. Such meeting shall be called in the manner prescribed for calling ward meetings in section two of this act, except that there shall be but one original warrant, true and attested copies whereof shall be posted by the city marshal or any constable of said city at least seven days before the day of the meeting, and in at least two public and conspicuous places in each ward. The marshal or said constable shall deliver the original warrant, with a return of his doings thereon, to the moderator of said meeting when elected, and the secretary of the meeting shall make a record thereof. The chairman of the board if present, or in his absence any member of the board, or if no such member is present any citizen qualified to vote at municipal elections in said city may call the meeting to order and preside until the election of a moderator. The meeting shall immediately proceed, by ballot or otherwise, to the choice of a moderator and a secretary. The moderator shall preside with the power of moderators of town meetings, and together with the secretary shall be duly sworn by any justice of the peace of said city. A record of such oaths shall be made by the secretary. At such meeting the board of education shall submit a printed report, the edition whereof shall consist of not less than fifteen hundred copies, of the affairs and condition of the city schools for the year ending on the first day of April next preceding the meeting, together with an estimate of the amount needed for school purposes for the current year. The said electors present shall have power to raise by vote for the support of the public schools in said city, for the current year ending on the first day of April, such sum, not less than the amount required by the general laws of the state, as they may deem necessary for that purpose. The secretary shall forthwith, or within the time prescribed by the meeting, certify the amount thereof to the assessors of said city, and it shall be included with, and assessed like other city taxes, and all the provisions of law relating to the assessment and collection of taxes shall be applicable to such tax. A special meeting may be called at any time in the manner hereinbefore described, when in the opinion of the chairman of the board, expressed in his written request to the mayor, the welfare of the public schools demands it. At any meeting authorized by this section the electors present may by vote borrow money for the building and reconstruction of school houses and the purchase of lots therefor.'

Approved March 22, 1917.

## Chapter 71.

An Act to Amend and Extend the Charter of the Bangor Boom Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended twenty years from Mar. 31st, 1918; provisos.** The charter of the Bangor Boom Company, with all the rights and privileges and all the responsibilities attached to said company, by virtue of the several acts creating, extending and relating thereto, shall continue and remain in force for twenty years from March thirty-first, nineteen hundred and eighteen, provided, however, that said company shall receive as toll ten cents for each thousand feet, as is now provided; and also provided, however, that all agreements now in force and in effect for payment by said Bangor Boom Company of annual rent or yearly damages to the proprietor or proprietors of shore or shores on the Penobscot river, shall cease on March thirty-first, nineteen hundred and eighteen, and thereafter all such agreements shall be of no legal force or effect; and also provided, however, that said corporation shall thereafter pay to the proprietor or proprietors of shore or shores taken, used or occupied by said corporation, such annual rent or yearly damages as may be agreed upon by the parties; and if said Bangor Boom Company and the proprietor or proprietors of shore or shores taken, used or occupied by said Bangor Boom Company cannot after March thirty-first, nineteen hundred and eighteen, agree on the annual rent or yearly damages to be thereafter paid by said Bangor Boom Company to such proprietor or proprietors of such shore or shores, then the proprietor or proprietors of such shore or shores may obtain such annual rent or yearly damages in the same mode and manner as is provided in chapter ninety-seven of the revised statutes, for damages where land is flowed by the erection of mills and dams.

**Sec. 2. Inconsistent statutes repealed.** All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved March 22, 1917.

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## Chapter 72.

An Act to Amend the Charter of the Shirley Dam Company.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1883, c. 314, § 3, as amended by P. & S. L., 1885, c. 443, amended.** Chapter three hundred fourteen of the private and special laws of eighteen hundred eighty-three as amended by chapter four hundred forty-three of the private and special laws of eighteen hundred eighty-five is hereby further amended in section three of said act by adding after the word "expenditures" in the twentieth line of said section three as amended, the words 'including reasonable fees for officers of said Shirley Dam Company', and by striking out the word "cease" in the twenty-first line of said

section three and inserting in place thereof the words, 'be suspended until said Shirley Dam Company shall have incurred additional expense in repairing, or renewing any of its dams or building new ones or in making other improvements authorized by said act,' so that said section three as amended shall read as follows:

**'Sec. 3. Tolls may be received when additional expense in repairing or renewing dams, etc., is necessary; officers of company allowed reasonable fees.** The said corporation may demand and receive a toll for the passage of logs over their said dams and improvements, of twenty-five cents for each thousand feet, board measure, woods scale, except for the logs put into said waters below the south line of Shirley, the toll on which shall be fifteen cents for each thousand feet, board measure, woods scale, nor shall any toll be levied or collected on any logs or lumber put into Piscataquis river below Foxcroft; and said corporation shall have a lien upon all logs which may pass over any of its said dams and improvements for the payment of said tolls, but the logs of each particular mark shall be holden only for the tolls of such mark, and unless such toll is paid within twenty days after such logs, or a major part of them, shall arrive at the Penobscot boom, or place of manufacture, said corporation may seize such logs and sell at public auction so many thereof as shall be necessary to pay such tolls and costs and charges, notice of the time and place of such sale being first given in some newspaper printed in Bangor; and when said corporation shall, from tolls, be reimbursed for its expenditures, including reasonable fees for officers of said Shirley Dam Company, and six per cent interest thereon, the tolls shall be suspended until said Shirley Dam Company shall have incurred additional expense in repairing or renewing any of its dams or building new ones, or in making other improvements authorized by said act. But the above tolls, shall in no case apply to any lumber put into Shirley mill stream and manufactured at Blanchard mills and stopped and manufactured at Abbot, Guilford, Foxcroft, and East Dover, nor on logs and lumber driven down the Kingsbury branch and intersecting the main river at Abbot Village.'

Approved March 22, 1917.

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## Chapter 73.

An Act to Extend the Charter of the Penobscot Valley Gas Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended for two years.** The rights, powers and privileges of the Penobscot Valley Gas Company, as granted by chapter one hundred seventy-eight of the private and special laws of nineteen hundred thirteen, are hereby extended for two years from the date on which this act takes effect.

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any

**CHAP. 74**

part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 22, 1917.

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## Chapter 74.

An Act to Authorize Allen E. Hammond and his Associates to Erect Piers and Maintain Booms in the St. John River in Hamlin Plantation.

*Be it enacted by the People of the State of Maine, as follows:*

**Certain persons authorized to build piers, etc., in St. John River.** Allen E. Hammond of Van Buren, Chester C. Whitney of Boston, Mass., Frank L. Perry of Woburn, Mass., and Henry K. Hyde of Ware, Mass., their associates, successors and assigns are hereby authorized to build piers and maintain booms in the Saint John river, in Hamlin plantation, from a point opposite the upper or north westerly line of lot numbered three hundred and seventeen, to a point opposite the lower or south easterly line of lot numbered three hundred and forty-five, for the purpose of holding lumber for purposes of manufacture, but not so as to interfere with the free navigation of the river.

Approved March 22, 1917.

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## Chapter 75.

An Act to Amend Section Twelve of Chapter One Hundred Eighty-one of the Private and Special Laws of Nineteen Hundred Eleven, Relating to Prisoners Escaping from the County Farm of Cumberland County.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1911, c. 181, § 12, amended.** Section twelve of chapter one hundred eighty-one of the private and special laws of nineteen hundred and eleven is hereby amended by adding thereto the words: 'or he may be sentenced to the county jail for a term not exceeding one year,' so that said section as amended shall read as follows:

**'Sec. 12. Attempt to escape; prisoner may be sentenced to county jail not to exceed one year.** If a prisoner serving sentence at the county farm escapes or attempts to escape or goes away from said farm without permission he shall when recaptured be returned, subject to such rules and regulations as said county commissioners and superintendent shall deem necessary to keep him at the farm, or he may be sentenced to the county jail for a term not exceeding one year.'

Approved March 22, 1917.

## Chapter 76.

An Act to Authorize the Sandy River and Rangeley Lakes Railroad to Extend its Line from Carrabasset to Hurricane Falls and to Discontinue its Present Road from Carrabasset to Bigelow.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Railroad may be extended.** The Sandy River and Rangeley Lakes Railroad is hereby authorized to extend its railroad from a point at or near its station at Carrabasset, through the township of Jerusalem, in the county of Franklin, Highland plantation, Carrying Place township and Dead River plantation, in the county of Somerset, or any of them, to a point in said Dead River plantation at or near the place known as Hurricane Falls, by such route as the directors of said corporation may select; subject, however, to existing statutes applicable thereto.

**Sec. 2. May abandon line from Bigelow to Carrabasset.** Upon the completion of said extension said corporation is hereby authorized to abandon the operation of that part of its railroad from Carrabasset to Bigelow, and take up and remove, and sell and convey as personal property the rails, ties, switches and all other fixtures of that part of its said railroad between said Carrabasset and said Bigelow, including buildings, and, after said abandonment, neither corporation nor its successors nor assigns shall be under any obligation to maintain and operate said portion of said railroad or any part thereof.

Approved March 22, 1917.

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## Chapter 77.

An Act to Permit the Town of Southport to Obtain a Supply of Pure Water.

*Be it enacted by the People of the State of Maine, as follows:*

**Charter extended two years.** The rights, powers and privileges of the town of Southport which were granted by chapter one hundred and twenty-nine of the private and special laws of nineteen hundred and fifteen, are hereby extended for a period of two years from the time this act shall take effect, and the town of Southport shall have all the rights, powers and privileges, that were granted it by said chapter one hundred and twenty-nine, to be exercised in the same manner and for the purposes therein specified.

Approved March 22, 1917.

## Chapter 78.

**An Act Providing a Legal Remedy for Damages by Flowage to Certain Members of the Penobscot Tribe of Indians Owning or Occupying Land on Old Town Indian Island Number One and Island Number Twelve in Penobscot River, and Authorizing Conveyance of Flowage Rights in said Land by said Indian Occupants to Bangor Power Company.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Damage by flowage on Indian Islands; members may maintain action or trespass.** Whenever any damage is done, directly or indirectly to house lots or other lands situated on Old Town Indian Island No. 1 and Island No. 12 commonly called Orson Island and owned or occupied by any member or members of the Penobscot tribe of Indians, by reason of the dam built across said Penobscot river from the city of Old Town to the town of Milford and the one built at Gilman Falls across said river in said city of Old Town, and now owned and maintained by the Bangor Power Company located at Bangor in the county of Penobscot, or by any act of said Bangor Power Company, the member or members of said tribe so injured may maintain an action of trespass therefor against said corporation in any court proper to try the same, to the same extent as though the fee were in the plaintiff or plaintiffs; provided compensation for such damage has, previous to the commencement of the action, been demanded by the agent of said tribe or the treasurer of said corporation, and payment been neglected or refused for the term of thirty days.

**Sec. 2. Bangor Power Company may purchase flowage rights of members of tribe.** All members of the aforesaid tribe who have suffered, or may suffer any damage to their aforesaid house lots or lands on account of flowage of their said lands by reason of the construction and maintenance of said dams and flashboards as at present maintained, are hereby authorized, upon payment of a sufficient and adequate compensation by said Bangor Power Company to the owners or occupants of said lands, to grant and convey by deed to said corporation a right of flowage of said lands, which said grant shall run with the land or lands; said grants to be made only upon the approval of the agent of said Penobscot tribe of Indians.

**Sec. 3. Agent to prosecute.** The agent aforesaid is hereby authorized to commence and prosecute to final judgment the action provided for in section one of this act, in the name of the party or parties injured as aforesaid.

Approved March 22, 1917.

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## Chapter 79.

**An Act to Provide for the Registration and Licensing of Dogs on the Indian Reservation of the Penobscot Tribe of Indians.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Agent to be furnished with list of dogs.** The governor of the Penobscot tribe of Indians shall make or cause to be made a list of all dogs owned, kept by, or in the possession of each member of said tribe residing



on said Indian reservation and deliver such list to the Indian agent of said tribe at least ten days before the first day of April of each year.

**Sec. 2. Dogs to be licensed; fee and general provisions.** Each member of said tribe and all other persons residing on said reservation, who owns, keeps, or has in his possession a dog, more than four months old, shall annually before the first day of April cause it to be registered, numbered, described and licensed for one year from said first day of April, in the office of said agent, and shall keep around its neck a collar distinctly marked with the owner's name and its registered number, and shall pay to said agent for a license one dollar and fifteen cents for each male dog, and three dollars and fifteen cents for each female dog, and any member of said tribe becoming the owner or keeper of a dog after the first day of April, not duly licensed, shall cause it to be registered, numbered, described and licensed as provided above.

**Sec. 3. License fees; how expended.** Said agent shall issue said license and receive the money therefor, and turn the same into the fund for the municipal purposes of said tribe, retaining to his own use fifteen cents for each license issued.

**Sec. 4. Penalty for violation.** Any member of said tribe who keeps a dog contrary to the provisions of this act shall pay a fine of ten dollars, or be punished by imprisonment in the jail in the county of Penobscot for not more than thirty days.

**Sec. 5. Dogs, not licensed, to be killed; warrant to be issued by agent.** Said agent shall annually within ten days from the first day of May, issue a warrant to the constable of said tribe directing him to proceed forthwith, either to kill or cause to be killed, all dogs on said reservation not licensed and collared according to the provisions of this act, and to enter complaint against the owners or keepers thereof. Such constable shall receive from the fund derived from said registration one dollar for each dog so killed.

Approved March 22, 1917.

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## Chapter 80.

An Act to Enlarge the Authority of the Home for Aged Couples and Old Men in the City of Bath to take and Hold Property.

*Be it enacted by the People of the State of Maine, as follows:*

**May hold property to extent of \$250,000.** The Home for Aged Couples and Old Men of Bath in the County of Sagadahoc, a charitable corporation existing under the general laws of the state, is hereby empowered to take and hold by purchase, gift, devise or bequest, personal or real estate, in all not exceeding in value two hundred fifty thousand dollars, owned at any one time, and may use and dispose thereof only for the purposes for which it was organized.

Approved March 22, 1917.

## Chapter 81.

An Act to Extend the Charter of the Farmington-Oakland Interurban Railway.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended for two years.** All the rights, powers and privileges of the Farmington-Oakland Interurban Railway, which were granted by chapter one hundred and eighty of the private and special laws of nineteen hundred and thirteen, are hereby extended for two years from the date when this act shall take effect.

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 22, 1917.

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## Chapter 82.

An Act to Provide for Increasing the Capital Stock of the Franklin Farmers Co-operative Telephone Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Capital stock may be increased to \$20,000; proviso.** The Franklin Farmers Co-operative Telephone Company is hereby authorized to increase its capital stock from ten thousand to twenty thousand dollars, whenever it is unanimously voted to do so, by the board of directors of said company. The usual statutory fees and requirements are not hereby to be dispensed with, but a vote representing a majority of the stock issued shall not be required, in order to make such increase legal.

Approved March 22, 1917.

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## Chapter 83.

An Act to Change the Date of the Annual Meeting of the Farmington Village Corporation.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1911, c. 142, § 7, amended.** Section seven, of chapter one hundred forty-two of the private and special laws of nineteen hundred and eleven is hereby amended by striking out the first three lines of said section and inserting in the place thereof the following: 'The assessors, clerk and treasurer shall be elected by ballot at the annual meeting to be held in the month following the end of the fiscal year as is now or shall hereafter

be prescribed by the public utilities commission of the State of Maine,' so that said section as amended shall read as follows:

**'Sec. 7. Assessors, clerk and treasurer to be elected month following end of fiscal year.** The assessors, clerk and treasurer shall be elected by ballot at the annual meeting to be held in the month following the end of the fiscal year as is now or shall hereafter be prescribed by the public utilities commission of the State of Maine. The clerk and treasurer shall hold office each for one year, or until successors are chosen and qualified. The assessors shall appoint a collector. At the first annual meeting of the corporation after the adoption of this charter, one assessor shall be elected by ballot for one year, one for two years, and one for three years, and thereafter one assessor shall be elected at each annual meeting for the term of three years.'

Approved March 22, 1917.

## Chapter 84.

An Act to Amend Chapter One Hundred Ninety-five of the Private and Special Laws of Nineteen Hundred and Thirteen Entitled "An Act to Authorize the Bangor Railway and Electric Company to Take Water from Chemo Lake and its Tributaries."

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1913, c. 195, § 1, amended.** Section one of chapter one hundred ninety-five of the private and special laws of nineteen hundred thirteen is hereby amended by striking out all of said section after the word "until" in the eleventh line and inserting in place thereof the following: 'the public utilities commission upon petition of said company or of twenty-five citizens of said cities of Old Town and Brewer and after notice and hearing thereon, has granted said company permission to divert and use the water of said Chemo lake and its tributaries as herein provided,' so that said section as amended shall read as follows:

**'Sec. 1. Authority not to be exercised until passed upon by public utilities commission.** The Bangor Railway and Electric Company, a corporation organized under the general laws of the state of Maine, and having its principal place of business in Bangor, in the county of Penobscot, is hereby authorized and empowered to take, divert and use the water from Chemo lake, situated in the towns of Bradley, Clifton and Eddington, in the county of Penobscot, and from its tributaries wherever situated, for the sole purpose of supplying the inhabitants of the cities of Old Town and Brewer and the towns of Milford, Veazie and Orrington with pure water; provided, however, that the authority herein granted shall not be exercised until the public utilities commission upon petition of said company or of twenty-five citizens of said cities of Old Town and Brewer and after notice and hearing thereon, has granted said company permission to divert and use the water of said Chemo lake and its tributaries as herein provided.'

Approved March 22, 1917.

## Chapter 85.

**An Act to Authorize Ward and Bradbury, Incorporated, to Erect and Maintain Piers, Piles and Booms in the Saint John River.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Location of piers, etc., and purpose.** Ward and Bradbury, Incorporated, a corporation organized by law and located at Fort Kent in the county of Aroostook and State of Maine, is hereby authorized to locate, erect and maintain piers, piles and booms on the southerly side of the Saint John river, commencing at their mill, as now located in Saint Francis plantation on said Saint John river, and continuing up said southerly side of said Saint John river to a point opposite the mouth of the Saint Francis river, for the purpose of holding all logs and other lumber coming down said river and destined for use or manufacture by them.

**Sec. 2. Proviso.** Said piers, piles and booms shall be so constructed that logs, pulpwood and other lumber shall not be impeded or delayed in its passage down said river, and expense of such delay, if any, shall be paid by said Ward and Bradbury, Incorporated.

**Sec. 3. Logs, etc., owned by others, to be turned out.** All other logs and lumber, than those provided for by section one of this act, held by, or found in said booms, shall be turned out thereof by them and at their own expense.

**Sec. 4. Navigation not to be impeded.** None of the piers, piles or booms authorized by this act shall be so constructed or maintained as to obstruct the navigation of the said river by boats, or to hinder or delay the driving of lumber in said river at all times.

**Sec. 5. Damages, how assessed.** All persons damaged in their property rights by reason of the rights granted said company by this act shall be entitled to have their damages assessed in the same manner as is provided by law for the assessment of damages for the laying out of highways.

Approved March 22, 1917.

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## Chapter 86.

**An Act to Authorize the County Commissioners of the County of Oxford to Remodel, Enlarge and Repair the Registry of Deeds Building of the Western Registry District of said County, or to Sell and Convey the Same and Purchase a New Site and Contract for the Erection of a New Building thereon, and to Issue Interest Bearing Obligations of said County therefor.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Cost of repairs not to exceed \$10,000.** The county commissioners of Oxford county are hereby authorized and empowered to remodel, enlarge and repair the registry of deeds building of the western registry dis-

trict of said county, situated at Fryeburg, at an expense not exceeding ten thousand dollars.

**Sec. 2. Registry may be erected on new site; present registry may be sold.** Said commissioners may in their discretion and hereby are empowered to acquire by gift or purchase another site for said registry in said town of Fryeburg and build anew thereon, and for this purpose are hereby authorized at any time to sell at public or private sale any conveyable title which said county of Oxford may at the date of said sale have in and to the present registry lot and building as now extant; the funds to be derived therefrom to be paid by said commissioners to the treasurer of said county.

**Sec. 3. Expense; how met.** In order to carry out the purposes of this act, said county commissioners are authorized to borrow a sum not exceeding ten thousand dollars temporarily, and to issue therefor the interest bearing negotiable notes of said county, and for the purpose of paying or refunding the indebtedness so created, said county commissioners may, from time to time, issue the interest bearing bonds of said county for a sum not exceeding ten thousand dollars.

Approved March 22, 1917.

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## Chapter 87.

An Act Authorizing the Town of Bucksport to Secure a Supply of Water.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Source of supply and purposes.** The town of Bucksport or the trustees hereinafter provided for, or any corporation of which either may obtain control, as provided in section two, either directly or through ownership of stock, are authorized and empowered to take water from any spring or springs or ponds in the town of Bucksport in the county of Hancock, sufficient for domestic purposes in said town of Bucksport, including a sufficient quantity for extinguishing fires, and the supply of hotels, livery stables, laundries, sprinkling streets within said town, and for all domestic purposes, to take and convey through the town of said Bucksport, and to all points thereof, any of the waters aforesaid by aqueduct or pipe sunk to any depth desirable for said purposes.

**Sec. 2. System may be purchased; payment may be made in installments.** The town of Bucksport, or said trustee, may make any necessary contract with any person or corporation for acquiring the ownership of a system of water works within said town, whereby said town, or said trustee, may be entitled to purchase the whole at one time or to purchase the same in installments through a period of years.

**Sec. 3. General powers.** For the purpose of carrying out the provisions of this act said town or trustee or any corporation of which either may obtain control as provided in section two, either directly or through ownership of stock, shall have power and are hereby authorized to take and hold

**CHAP. 87**

by purchase or otherwise, any lands or real estate necessary for laying and maintaining pipes, locks, gates, dams, hydrants and reservoirs for taking, conducting, holding, discharging and distributing water, and for roadways to be used as approaches thereto, doing no unnecessary damage. They may enter upon said lands to make surveys and locations, and shall file in the registry of deeds in the county of Hancock plans of such location and land showing the property taken and within thirty days thereafter, publish such notice of such taking and filing in some newspaper in said county, such publication to be continued three weeks successively; and said filing in the registry of deeds shall be in lieu of any other filing now required by law. Said town, or said trustee may permit the use, for said purposes, of any land so taken by it, by any person or corporation, with which it has made such a contract as is described in section two, whereby the town may be entitled to acquire the ownership of a system of waterworks in said town.

**Sec. 4. Damages when agreement cannot be reached.** Should the town or said trustee, or such corporation, and the owner of such land be unable to agree upon the damages to be paid for such location taken and holden, the land owner, or the town, or trustee, or such corporation, may within six months after the filing of said plans and location, apply to the county commissioners of the county of Hancock, who shall cause such damages to be assessed in the same manner and under the same conditions, restrictions, limitation and rights of appeal, as are by law prescribed in the case of damages for the laying out of highways, so far as such law is consistent with the provisions of this act.

**Sec. 5. Construction may be contracted for; town may purchase in installments.** The town of Bucksport, or said trustee, or any corporation of which either may obtain control, as provided in section two, either directly or through ownership of stock, are authorized and empowered to contract with any person or corporation to construct aqueducts, pipes, dams, reservoirs, locks, gates, hydrants, and other necessary structures upon lands so taken, as hereinbefore prescribed. Any such corporation organized to construct any such aqueduct, is empowered to place all or any part of its capital stock in the name of a trustee, or trustees, and to contract with said trustee, or trustees, and shall sell and deliver the same to the town in installments, from year to year, as may be agreed upon.

**Sec. 6. Water commissioners; election; tenure, compensation; powers and duties.** For the purpose of carrying into effect the provisions of this act, the town of Bucksport, at a meeting duly called therefor, may, as soon as this act takes effect, and shall, as soon as the town comes into ownership, control or management of a system of waterworks by building, purchase, or otherwise, elect by ballot three water commissioners, the three first chosen as aforesaid, shall serve, one for one year, one for two years, and one for three years, and thereafterwards one commissioner shall be elected annually in the month of March to serve for a term of three years. Said commissioners are authorized to fix the water rates and determine the conditions and manner of the water supply, and shall have the general control and management of the water system owned by the town. They shall receive such compensation for their services as may be fixed by the town.

**Sec. 7. Pipes may be laid in highways.** Said town or said trustee, or any corporation of which either may obtain control directly or indirectly, as described in section two, are authorized, for the purpose of carrying into effect the provisions of this act, to dig up and to excavate any highway, lay pipe therein, and fill the same under the direction of the selectmen.

**Sec. 8. Notice to be filed in registry of deeds when water is taken; damages how assessed.** Whenever said town, or said trustee, or any corporation of which either may obtain control, as provided in section two, either directly or through ownership of stock, shall, under section one, take water from any of the sources therein named, it shall file in the registry of deeds in the county of Hancock, a notice of such taking, describing the size, location and depth, of the pipe or pipes, through which said water is to be taken from said sources. The said town, or said trustee, or said corporation, shall pay all damages sustained by any person or corporation, in property by the taking of any water, water sources, water right or easement, or any other thing done by said town, or by said trustee, or by said corporation first named in this section, under the authority of this act, which shall be determined and assessed in the same manner as provided in section four, for land taken under the provisions of this act.

**Sec. 9. Town may transfer franchise to be held in trust; may purchase system paying in installments.** Said town of Bucksport may transfer its franchise herein granted to any person or persons, or corporation by vote of the town at a legal meeting called for that purpose to hold in trust for the benefit of said town, said trustee shall thereupon proceed to construct a system of water works in said town for the benefit of said town as per the provisions of this act, and said trustee or trustees may contract with any person, or persons, or corporation to construct said system, said trustee being entitled to receive the net profits of said property, with a certain sum to be voted by the town annually to be applied to the principal cost of construction and interest thereon and all bonds thus paid by the town shall be sold and transferred by said trustee to said town discharged of said trust. Such trustee with the consent of the town, may also create or hold security on said property, rights, privileges and franchises for money advanced by said trustee, or by any persons or corporation in constructing said system of waterworks.

**Sec. 10. Bond issue authorized.** For the purpose of raising money to carry out the provisions of this act said town of Bucksport may issue bonds, registered or with interest coupons, under the direction of the inhabitants thereof at a legal meeting called therefor, to an amount which, in connection with other indebtedness of said town, shall not exceed the amount limited by the constitution of Maine; said bonds and coupons to be signed by the treasurer of said town and shall be designated "The Bucksport Water Loan."

**Sec. 11. Water rates.** The rates for supplying water under this act shall be fixed so that all expense for repairs and management shall be paid annually with interest.

**CHAP. 88**

**Sec. 12. Vitiated unless construction is begun within four years.** This act shall become null and void in four years from the time when the same takes effect, unless the town or its trustee shall have commenced the construction of its works under this charter.

Approved March 23, 1917.

## Chapter 88.

An Act to Provide for a County Law Library at Rumford in the County of Oxford.

*Be it enacted by the People of the State of Maine, as follows:*

**County to contribute to support of county law library at Rumford.** The treasurer of Oxford county shall annually pay to the treasurer of the Law Library Association of said county for the uses and benefits of the county law library at Rumford the sum of five hundred dollars; this sum being additional to the amount now provided by law for the use of the county law library at Paris in said county.

Approved March 23, 1917.

## Chapter 89.

An Act Amending Chapter One Hundred Twenty-one of the Private and Special Laws of Nineteen Hundred Fifteen Relating to a Closed Time on Lobsters in Machias Bay and Adjacent Waters in the County of Washington.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1915, c. 121, § 1, amended.** Section one of chapter one hundred and twenty-one of the private and special laws of nineteen hundred fifteen is hereby amended by striking out therefrom the following words: "thence to the nearest point of the mainland in the town of Cutler; thence following the line of said mainland to the point thereof nearest the island known as The Spindle near the entrance to Cross Island Narrows; thence to The Spindle and continuing in a direct line to the easternmost point of the island known as Double Head Shots and continuing thence due south for a distance of three miles;" and inserting therein in place thereof the following words: 'thence running south southwest two and three-fourths miles; thence south southeast one-half mile; thence south by west three-fourths west to the three mile limit; thence by said three mile limit to a point three miles due south from the easternmost point of Camp island, otherwise known as The Brothers;' so that said section as amended shall read as follows:

**'Sec. 1. Boundaries altered.** No person shall take, catch, kill, or destroy any lobsters between the first day of July and the thirty-first day of August, both inclusive, in each year, in any of the waters of Machias bay, or waters adjacent thereto, between the following described lines, to wit:



the easterly line beginning at a point where the dividing line between the towns of Machiasport and Whiting strikes the shore of Holmes bay, and continuing on said dividing line to Township Rock, so-called, in said Holmes bay; thence running south southwest two and three-fourths miles; thence south southeast one-half mile; then south by west three-fourths west to the three mile limit; thence by said three mile limit to a point three miles due south from the easternmost point of Camp island, otherwise known as The Brothers; the westerly line beginning at Fan island at the mouth of Little Kennebec river, and running southerly to Hickey island; thence southerly to the easternmost point of Camp island, otherwise known as The Brothers, and continuing thence due south for a distance of three miles; and no person shall set a trap within said waters for the purpose of taking, catching, killing or destroying any lobsters between said dates, under a penalty of one dollar for each lobster so taken, caught, killed or destroyed, and under a penalty of five dollars for each lobster trap so set for said purpose. Provided, however, that this act shall not apply to lobsters confined in cans and not taken or caught by traps sets in violation hereof.'

Approved March 23, 1917.

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## Chapter 90.

An Act Authorizing the American Realty Company to Erect and Maintain Piers and Booms in the St. John River, in St. John and St. Francis Plantations.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Location.** The American Realty Company, a corporation organized under the laws of the State of Maine, its successors and assigns, are hereby authorized and empowered to erect and maintain piers and booms in the St. John river in the plantation of St. John and the plantation of St. Francis at a point near the lower end of Powers island and extending up the river to a point next to the international boundary line opposite the St. John station of the Bangor & Aroostook Railroad, and thence up said river to a point near the Ward & Bradbury mill in the plantation of St. Francis, for the purpose of sorting and holding their logs and lumber.

**Sec. 2. Navigation not to be impeded; common use of river not to be obstructed.** All piers and booms authorized by this act shall be erected and maintained in such a manner as not to impede navigation or unreasonably obstruct the common use of the river, especially not to hinder or delay the driving of logs and lumber at all times. All stray logs and lumber that may gather in said booms shall be turned out by the party or parties owning or operating the same at their own expense immediately upon the request of the owner.

Approved March 23, 1917.

## Chapter 91.

An Act to Provide for Street Lights on Old Town Indian Island No. 1.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Installation of street lights authorized.** The Bangor Power Company is hereby authorized to establish and maintain six electric lights, of eighty candle power each, at an annual cost not to exceed twenty dollars per light, on the streets of the Indian village situate on Old Town Indian island No. 1 in the reservation of the Penobscot tribe of Indians.

**Sec. 2. Authorized to set poles and string wires.** Permission is hereby granted to said power company to set such poles on said streets, and string wires thereon, as are necessary for the installing and maintenance of said lights; said poles to be located on said streets at such places as may be designated by the agent of said tribe.

**Sec. 3. Rental, how paid.** The annual cost for the maintenance of said lights shall be paid for out of the fifteen per cent. shore rentals set apart for municipal purposes of said tribe.

Approved March 23, 1917.

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## Chapter 92.

An Act to Provide a Common on Old Town Indian Island No. 1.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Lot number ten converted into a common.** Lot numbered ten situate on Old Town Indian island No. 1 within the reservation of the Penobscot tribe of Indians, which said lot numbered ten is bounded as follows: easterly by the westerly line of Center street; northerly by the southerly line of lots numbered fifteen and thirteen; westerly by the easterly line of lots numbered twelve and eleven; southerly by a portion of the northerly line of lot numbered eight and the northerly line of lot numbered seven, according to the plan of Old Town Indian island No. 1 made by J. W. and J. Sewall in June eighteen hundred seventy-nine, the aforesaid lot numbered ten never having been allotted or assigned to any member or members of said tribe, is hereby set apart and designated as a public common for the general use of the members of the aforesaid tribe of Indians.

**Sec. 2. Uses.** Said common is to be occupied and used by the members of said tribe for all lawful purposes and in the same manner and for such purposes as other commons established and maintained in and by the cities, towns, and municipalities in the State of Maine, are used and occupied.

**Sec. 3. Lot forever reserved.** No part or portion of said lot hereby set apart and designated as a common for the public use of said tribe of Indians shall ever be allotted or assigned to any member or members of said tribe of Indians by the agent of the Penobscot tribe of Indians.

Approved March 23, 1917.

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## Chapter 93.

**An Act to Extend the Rights, Powers and Privileges of the Guilford Manufacturing Company for the Erection and Maintenance of Piers and Booms in the Piscataquis River.**

*Be it enacted by the People of the State of Maine, as follows:*

**Charter revived and extended for period of ten years.** The rights, powers and privileges, which were granted to the Guilford Manufacturing Company, by sections one and two of chapter two hundred and twenty of the private and special laws of the year nineteen hundred and nine, are hereby revived and extended, for and during the period of ten years from the date on which this act takes effect, and the rights, powers and privileges that were thereby granted may be exercised in the same manner and for the same purposes as provided in said sections one and two of said act.

Approved March 23, 1917.

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## Chapter 94.

**An Act Additional to and Amendatory of Chapter Two Hundred Six of the Private and Special Laws of Nineteen Hundred Seven Relating to the West Branch Driving and Reservoir Dam Company.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Authorized to sell to Great Northern Paper Company right to take water; provisos.** The West Branch Driving and Reservoir Dam Company, a corporation organized under the laws of this state, and authorized by chapter two hundred six of the private and special laws of nineteen hundred and seven to build and maintain a dam at Ripogenus on the West Branch of the Penobscot river, and owning North Twin Dam, is further authorized to sell or lease to the Great Northern Paper Company, a corporation organized under the laws of this state, the right to take and use water raised or stored by said dams, or either of them, to be used by said Great Northern Paper Company in developing power or augmenting power already developed, and to contract with said Great Northern Paper Company to deliver said water to it upon the lower side of said dams, or to allow said Great Northern Paper Company to draw said water out of the ponds raised by said dams by means of its own appliances, upon such terms as the companies may agree upon, and for that purpose to construct and maintain said dams and their appurtenances in such a manner as to

**CHAP. 95**

enable it to deliver said water or to allow said Great Northern Paper Company to construct and maintain such works and appliances as may be necessary or convenient for it to take from the ponds raised by said dams the water to which it is or may become entitled according to the provisions of this act, provided, however, that the authority above granted shall not be construed as giving said West Branch Driving and Reservoir Dam Company any right to divest itself of water or rights necessary for it to retain in order to perform the duties imposed upon it by its charter, and provided, further that any water so taken from the pond raised by said Ripogenus dam shall be returned into the channel of the West Branch of the Penobscot river at some point on said West Branch above the east line of township 3, range 11, W. E. L. S. and provided further that any water so taken from the pond raised by North Twin Dam shall be returned into said channel at some point on said West Branch above Quakish dam, so-called.

**Sec. 2. Certain powers of Great Northern Paper Company revoked; others to remain unaffected.** All the powers and privileges which the Great Northern Paper Company has of doing a public illuminating, heating or power business; or of leasing or selling electricity or other power for public use; or of supplying the inhabitants of any city, town or village corporation with water, lights or heat; or of transmitting electricity to be leased or sold to the public for manufacturing, illuminating, heating or power purposes, are hereby revoked and repealed, but all other powers, rights and privileges possessed by said corporation, shall be and remain in full force, undiminished and unabridged by the passage of this act.

**Sec. 3. State not under obligation to compensate company for any rights granted herein.** Whenever the State of Maine shall determine by proper legislation to acquire, maintain and operate a system of water storage at the head waters of the West Branch of the Penobscot river and shall take over the property and rights of the West Branch Driving and Reservoir Dam Company the said state shall be under no obligation to compensate said West Branch Driving and Reservoir Dam Company for the rights and franchises granted to it by this act.

Approved March 23, 1917.

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## Chapter 95.

**An Act to Amend Chapter Two Hundred and Fifteen of the Private and Special Laws of Eighteen Hundred and Sixty-seven, and Authorizing the City of Saco to Provide, Equip and Maintain a Hospital.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Acceptance of bequest of Lucia Kimball Deering authorized.** The city of Saco is hereby authorized and empowered to accept and receive the legacy provided for in paragraph eight of the last will of Lucia Kimball Deering, late of Boston, Suffolk county, Massachusetts, dated November nineteenth, nineteen hundred fifteen, and after the compliance with

all the provisions of this act, the city of Saco shall be, and hereby is, authorized and empowered to do all acts and things to carry out the provisions of said paragraph eight of said will.

**Sec. 2. City empowered to acquire land and building and equip hospital; maintenance.** The city of Saco is hereby authorized and empowered to purchase a suitable building with the land on which it stands, or to purchase a suitable lot and erect a hospital building thereon, to equip and maintain the same for general hospital purposes. To make and collect reasonable charges for services rendered therein and to appropriate and levy money by taxation for the necessary maintenance of the same.

**Sec. 3. City may receive legacies.** The city of Saco is hereby authorized and empowered to accept and receive all legacies, devises and gifts for the purpose of establishing, equipping and maintaining, in whole or in part an allopathic hospital in said city of Saco, for general hospital purposes; and to take and administer all legacies, devises or other gifts for hospital purposes, in accordance with the terms and conditions of the instrument creating the trust, both those legacies, devises and gifts which have been made and those which may be made in the future.

**Sec. 4. Full powers granted.** The city of Saco is hereby authorized and empowered to do all acts and things incident to the purposes of this act and for its proper execution.

**Sec. 5. Inconsistent statutes repealed.** All acts and parts of acts inconsistent with this act are hereby repealed from and after the time when this act shall have been accepted as hereinafter provided.

**Sec. 6. Act to be passed upon by voters; date, form of question.** This act shall take effect and be in full force, when the same shall have been accepted by the legal voters of said city at an election to be called and held as other municipal elections are called and held, on the second Monday of September, nineteen hundred and seventeen. The vote shall be taken by ballot at said election in answer to the question: "Shall an act passed by the legislature in the year nineteen hundred and seventeen, entitled 'An Act to Amend Chapter Two Hundred and Fifteen of the Private and Special Laws of Eighteen Hundred and Sixty-seven, and Authorizing the City of Saco to Provide, Equip and Maintain a Hospital,' be accepted?" which shall be printed on the official ballots and at said meeting the voters of said city in favor of accepting this act shall vote "Yes" and those opposed shall vote "No." And if a majority of all the ballots received are in favor of accepting the same, it shall then become a law and take effect. And it shall be the duty of the city clerk of said city of Saco to spread at large all the proceedings and results thereof, on the records of the city, and such records shall be conclusive evidence that this act has been accepted or rejected, as the case may be.

**Sec. 7. Date when effective.** This act shall take effect in ninety days after the final adjournment of the legislature, so far as to authorize its submission to the legal voters of said city in the manner prescribed herein and when this act shall have been accepted by said voters, it shall be in full force and effect.

## Chapter 96.

An Act to Amend Section One of Chapter Eighty-two of the Private and Special Laws of Eighteen Hundred and Ninety-one, Entitled "An Act to Supply the City of Auburn with Pure Water."

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1891, c. 82, § 1, amended.** Section one of chapter eighty-two of the private and special laws of eighteen hundred and ninety-one is hereby amended by inserting after the word "laundries" in the ninth line thereof the following words, 'for operating motors used to run family washing machines', so that said section as amended shall read as follows:

**'Sec. 1. Operation of motors used to run family washing machines included.** The city of Auburn, or the trustee hereinafter provided for, or any corporation of which either may obtain control, as provided in section two, either directly or through ownership of stock, are authorized and empowered to take water from the Androscoggin river, Wilson pond, Taylor pond, and any other pond or spring in the city of Auburn, sufficient for domestic purposes in said city, including a sufficient quantity for extinguishing fires and the supply of hotels, livery stables and laundries, for operating motors used to run family washing machines, and for sprinkling streets within said city; and for the purposes aforesaid, to take and convey through the city of Auburn, and to all parts thereof, any of the waters aforesaid, by aqueduct or pipe sunk to any depth desirable for said purposes.'

Approved March 26, 1917.

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## Chapter 97.

An Act to Amend Chapter One Hundred Fifty of the Private and Special Laws of Nineteen Hundred and Three, Relative to Alumni Trustees of Colby College.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1903, c. 150, § 1, amended.** That section three of an act entitled "An Act to Establish a Literary Institution in the District of Maine within this Commonwealth," passed by the general court of Massachusetts and approved February twenty-seventh, eighteen hundred and thirteen, be further amended by striking out from the last sentence of said section, as amended by said chapter one hundred fifty of the private and special laws of nineteen hundred and three, the word "nine" and inserting in the place thereof the word 'ten,' and by striking out the word "three" before the words "each year" and inserting in the place thereof the word 'two,' and by striking out the word "three" before the word "years" and inserting in the place thereof the word 'five;' so that said section as amended shall read as follows:

**'Sec. 3. Number of alumni trustees increased to ten; tenure of office increased to five years.** Be it further enacted, that for the more orderly

**CHAP. 98**

conducting of the business of said corporation, the president and trustees shall have full power and authority, from time to time as they shall determine, to elect a vice president, treasurer and secretary of said corporation, and to declare the tenure and duties of their respective offices, and also to remove any trustee from the said corporation, when in their judgment he shall be rendered incapable by age or otherwise, of discharging the duties of his office, and to fill up all vacancies in the said corporation, by electing such persons for trustees, except as hereinafter provided, as they shall judge best: Provided, nevertheless, that the number of the said corporation, including the president of the said institution, and the treasurer for the time being, shall never be greater than thirty-one, nor less than twenty-one: And provided also, that ten of the trustees shall be elected by the Alumni Association of Colby College to be known as Alumni Trustees and to be elected, two each year, for terms of five years, in such manner as said association may provide.'

Approved March 26, 1917.

## Chapter 98.

**An Act to Amend Section One of Chapter One Hundred Ninety-nine of the Private and Special Laws of Eighteen Hundred and Ninety-nine, Regulating Caucuses in the City of Biddeford.**

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1899, c. 199, § 1, amended.** Section one of chapter one hundred ninety-nine of the private and special laws of eighteen hundred and ninety-nine is hereby amended by striking out in the third line thereof, the words "at which its gubernatorial candidate may be chosen", so that said section as amended shall read as follows:

**'Sec. 1. Modified to conform to primary law.** Any political party in the city of Biddeford, entitled to choose delegates to the state convention of such party, shall at the caucus named to choose such delegates to said state convention, elect its city committee, and committees chosen at other times shall have no power or authority for calling any ward or city caucuses. The committee so chosen shall hold office for the term of two years from the first day of January following their election, except as herein provided.'

Approved March 26, 1917.

## Chapter 99.

**An Act to Repeal Chapter Three Hundred and Seventy-three of the Private and Special Laws of Eighteen Hundred and Thirty-three, Entitled "An Act to Regulate the Survey of Lumber in the County of Penobscot."**

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1883, c. 373, and amendatory acts, repealed.** Chapter three hundred and seventy-three of the private and special laws of eighteen hundred and thirty-three, entitled "An Act to Regulate the Survey of Lumber

**CHAP. 100**

in the County of Penobscot," and all acts additional thereto and amendatory thereof, hereby are repealed.

Approved March 26, 1917.

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## **Chapter 100.**

An Act to Extend the Charter of the World Standard Insurance Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Charter extended for two years.** The rights, powers and privileges of the World Standard Insurance Company, which were granted by chapter two hundred nine of the private and special laws of nineteen hundred eleven, are hereby extended for two years from date on which this act takes effect; and the persons named in said act their associates and successors shall have the rights, powers and privileges that were granted to them by said act, to be exercised by them for the same purposes as specified in said act.

Approved March 26, 1917.

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## **Chapter 101.**

An Act to Extend the Charter of the Brewer Water Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended for two years.** All the rights, powers and privileges of the Brewer Water Company which were granted by chapter three hundred nine of the private and special laws of nineteen hundred nine, and as extended and amended by chapter one hundred seventy of the private and special laws of nineteen hundred thirteen, and as further extended and amended by chapter ninety-eight of the private and special laws of nineteen hundred fifteen, are hereby extended for two years from the twenty-fourth day of March, nineteen hundred seventeen; and the persons named in said act and amendment, their associates, successors and assigns, shall have all the rights, powers and privileges that were granted them by said act and amendment, to be exercised in the same manner and for the same purpose as specified in said act.

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved February 26, 1917



## Chapter 102.

An Act to Amend Chapter Two Hundred Eighteen of the Private and Special Laws of Nineteen Hundred and Eleven, Entitled "An Act to Supply the Town of North Haven with Pure Water."

**Emergency Preamble.** Whereas, furnishing the people, both permanent and summer residents, living in that part of Vinalhaven bordering Fox Island Thoroughfare, with pure water for domestic purposes is an emergency measure immediately necessary for the preservation of public health and safety, and,

Whereas, the same is to be furnished as a part of the water supply of the municipality of North Haven, and not by any corporation within the meaning of that word as used in the constitution of the State of Maine, as amended; now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1911, c. 218, § 3, amended.** That section three of said chapter two hundred eighteen is hereby amended by inserting after the words "any lands" in the first paragraph of said section, the words 'easements, rights of way,' so that the first paragraph of said section shall read as follows:

**'Sec. 3. Authority granted to take any easement or right of way.** For the purpose of carrying out the provisions of this act, said town of North Haven, by its municipal officers, shall have power and is hereby authorized to take and hold by purchase or otherwise, any lands, easements, rights of way, or real estate necessary for laying and maintaining pipes, aqueducts, locks, gates, hydrants, dams, standpipes, reservoirs for taking, conducting, conveying, storing, holding, discharging, and distributing, and for roadways to be used as approaches thereto, doing no unnecessary damage.'

**Sec. 2. P. & S. L., 1911, c. 218, § 5, amended.** Section five of said chapter two hundred eighteen is hereby amended by striking out the words at the end of the first sentence in said section reading as follows: "upon lands taken as hereinbefore prescribed," so that said section as amended shall read as follows:

**'Sec. 5. May be constructed on lands not prescribed herein.** The town of North Haven, by its municipal officers, is authorized and empowered to contract with any person or corporation to construct aqueducts, pipes, locks, gates, hydrants, dams, standpipes and reservoirs and any other structures necessary for a system of water works. And in case any such company or corporation is organized to construct any such aqueduct, it is empowered to place all or any part of its capital stock in the name of a trustee or trustees, and to contract that said trustee, or trustees, shall sell and deliver the same to the said town of North Haven in installments from year to year, as may be agreed upon.'

**Sec. 3. P. & S. L., 1911, c. 218, § 7, amended.** Section seven of said chapter two hundred eighteen is hereby amended by inserting the word 'and'

**CHAP. 103**

between the words "town" and "lay" in the fourth line, and by striking out from said section the words reading as follows: "and fill the trenches under the direction of the road commissioner of said town, or such person as may be acting in that capacity for the time being," so that said section as amended shall read as follows:

**'Sec. 7. Not necessary for trenches to be refilled under supervision of road commissioner, or agent.** Said town of North Haven, through its municipal officers, is authorized for the purpose of carrying into effect the provisions of this act, to dig up and excavate any highway in said town, and lay pipes therein.'

**Sec. 4. Rights and powers.** Said town of North Haven under its charter shall have the right to furnish water for all its chartered purposes in that part of the town of Vinalhaven lying within two miles of Fox Island Thoroughfare, with the right to lay one or more lines of pipe across said Thoroughfare in such locations as may be approved by the United States Government.

All the provisions of said charter shall apply to the territory described in this section in the same manner they now apply to said town of North Haven, and said town shall have the right to furnish water for supplying shipping.

Said town of North Haven may by vote lease by one or more leases, the whole or any part of its rights conferred by this section, and such lessees within the limitations of their leases shall have all the rights of said town.

**Sec. 5. Date when effective.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved March 26, 1917.

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## Chapter 103.

An Act to Extend the Charter of the Harmony Water Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended for two years.** All the rights, powers and privileges of the Harmony Water Company which were granted by chapter one hundred and seventy-one of the private and special laws for the year one thousand nine hundred and fifteen, are hereby extended for and during the period of two years from the first day of June in the year of our Lord one thousand nine hundred and seventeen; and all the rights, powers and privileges that were granted by said act, may and shall be exercised in the same manner and for the same purposes as provided in said act to the persons therein named, and their associates and successors.

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 26, 1917.

## Chapter 104.

An Act to Incorporate The Dirigo Water Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators, name and purposes.** Fred R. Ayer, George E. Hyde and Albert D. Pomeroy, all of Bangor, and Stuart W. Webb, of Boston, their successors and assigns, are hereby made a corporation by the name of The Dirigo Water Company, for the purpose of supplying upon the conditions hereinafter contained, the city of Brewer and the towns of Veazie, Orrington, Eddington and Holden, or any of them, and the inhabitants thereof with water for domestic, municipal and industrial purposes.

**Sec. 2. Source of supply; proviso.** The company for such purposes may take, store, divert and use the water of Brewer pond lying in the towns of Bucksport, Orrington and Holden in the counties of Hancock and Penobscot, and of its tributaries wherever situated; provided, however, that at all times unless otherwise agreed by the Eastern Manufacturing Company, after the city of Brewer and the inhabitants thereof have been supplied by the company with sufficient water for municipal and domestic purposes, sufficient water shall be allowed to flow out of Brewer pond down the Segeunkedunk stream as far as the present intake pipes of the Eastern Manufacturing Company to supply that company with the same quantity of water it now uses at its plant in South Brewer, and may locate, construct and maintain dams, gates, reservoirs, pipes, hydrants and other necessary structures.

**Sec. 3. May take land, or interest therein, etc.** The company may take and hold by lease, purchase or by condemnation proceedings land or any interest therein or water rights or any interest therein necessary for erecting dams for flowage purposes, or to create power for pumping, also for sites for reservoirs or other structures, also for preserving the purity of the water-shed, also for laying and maintaining pipes and other fixtures, also for taking and distributing water and also for increasing the storage capacity of Brewer pond or any pond tributary thereto.

**Sec. 4. May lay and maintain pipes, etc., along streets, highways, etc.; proviso.** The company may lay and maintain in, under or through any street, highway or way and across any private lands, pipes and other fixtures necessary and convenient for supplying said city and towns with water as herein provided and may repair and replace the same; and whenever said company shall lay pipes or other fixtures in, under or through any highway or way, it shall cause the same to be done with as little obstruction as possible to public travel, and shall at its own expense, without unnecessary delay, cause the earth and pavement removed to be replaced in proper condition. The rights herein conferred upon the company to lay, construct and maintain pipes or other fixtures in, under, through, along and across the streets and highways or ways of the city of Brewer, shall not be exercised until consent thereto is given by the municipal officers of said city. This provision, however, is not to apply, after consent by said

**CHAP. 104**

municipal officers has once been given to lay, construct, and maintain pipes, hydrants and other structures as above provided.

**Construction across railroad locations.** The company may lay, construct and maintain its pipes across the location of any railroad, but all work within the limits of any railroad location shall be done under the supervision of the chief engineer of such railroad company and at the expense of the water company.

**Damages.** The company shall be responsible for damages to persons and property occasioned by the use of such streets, highways and ways and shall be liable to pay to said city or towns any sums recovered against them, or any of them on account of obstructions placed therein by the company and the expenses, including reasonable counsel fees incurred in defending suits, commenced against said city or towns, providing the company shall have notice of such suits and an opportunity to come into court and defend.

**Sec. 5. General provisions as to rights and powers.** The company may take and hold any waters as limited in section two and also any lands necessary for dams, power stations, reservoirs, and other necessary structures, and may locate, lay, and maintain pipes, hydrants and other necessary structures or fixtures upon, over and through any lands for its said purposes, and may excavate in and through such lands for such locations, construction and maintenance. It may enter upon such lands to make surveys and locations. It shall file in the registry of deeds for the county in which such lands lie, plans of such locations and lands taken, showing the property taken, and within thirty days thereafter, publish notice of such filing in some newspaper published or printed, in said county, such publication to be continued three weeks successively. Not more than one rod in width of land shall be occupied by one line of pipe.

**Adjustment of damages.** Should the company and the owner of such land so taken be unable to agree upon the damages to be paid therefor, the damages shall be assessed in accordance with the law applicable at the time to the assessment of damages for land taken by railroads, so far as such law is consistent with the provisions of this act. If said company shall fail to pay such land owner, or deposit for his use with the clerk of the county commissioners of the county where the land is located such sums as may be finally awarded as damages, with costs when recovered by him, within ninety days after notice of final judgment shall have been received by the clerk of courts of said county, the said location shall thereby be rendered invalid, and said company shall forfeit all rights under the same as against such land owner. The company may make a tender to any land owner damaged under the provisions of this act, and if such land owner recovers more damages than were tendered him by said company, he shall recover costs; otherwise said company shall recover costs. In case the company shall begin to occupy such lands before the rendition of final judgment the land owner may require the company to file its bond, running to him, with the county commissioners of the county in which the land lies, in such sum and with such sureties as they approve, conditioned for said payment or deposit. No action shall be brought against the company for such taking, holding and occupation until after such failure to pay or

deposit as aforesaid. Failure to apply for damages within two years by the land owner shall be held to be a waiver of the same.

**Sec. 6. May acquire property and franchises of Bangor Railway Electric Company.** The company shall acquire and hold by purchase the property, rights and franchises of the Bangor Railway and Electric Company owned and exercised by that company for the purpose of supplying the city of Brewer and the towns of Veazie and Orrington, or any of them and the inhabitants thereof with water.

**Sec. 7. May make contracts with other corporations and towns; expense, how met by towns.** The company may make contracts with other corporations and with the city of Brewer or the towns of Veazie, Orrington, Eddington and Holden, or any of them, or any village corporation therein to supply them with water as contemplated by this act, and said city by its city council and said towns by their municipal officers, or said village corporations by their assessors are authorized and empowered to enter into contracts with the company for a supply of water for public uses on such terms and for such time as the parties may agree, which when made shall be legal and binding on all parties thereto, subject always to the approval of the public utilities commission of Maine. And said city and towns may raise money as for other city and town charges, to carry out the provisions of any such contracts entered into by them.

**Sec. 8. Capital stock.** The capital stock of the company shall be five hundred thousand dollars, divided into shares of one hundred dollars each.

**Sec. 9. May hold real and personal property.** The company for its said purposes, may hold real and personal estate necessary and convenient therefor.

**Sec. 10. Bond issue.** The company may issue its bonds in such amounts and upon such terms as the public utilities commission of Maine from time to time may order and direct, and secure payment of the same by a mortgage or mortgages of its property and franchise, now owned by it or hereafter acquired.

**Sec. 11. First meeting; how called.** The first meeting of the company may be called by a written notice thereof, signed by any corporator herein named, served upon each other corporator by giving him the same in hand, or by leaving the same at his last usual place of abode, seven days at least before the time of meeting.

**Sec. 12. Certain sections null and void unless specified provisions are carried out.** Sections two, three, four and five of this act shall be inoperative, null and void unless, and the rights herein granted are upon the express condition, the company first acquires by purchase the property, rights and franchises of the Bangor Railway and Electric Company, so far as the same are used at time of such purchase to supply the city of Brewer and the towns of Veazie and Orrington and the inhabitants thereof with water, and first enters into a contract with the city of Brewer to sup-

**CHAP. 105**

ply the city of Brewer and the inhabitants thereof with water from Brewer pond and its tributaries, and the Bangor Railway and Electric Company is hereby authorized and empowered to sell and transfer its property, rights and franchises to the Dirigo Water Company as provided in section six.

**Sec. 13. Preservation of source of supply and water shed.** No person, firm, association, club or corporation shall hereafter build, maintain or occupy any structure in or upon or near the shores of Brewer pond or any pond or stream tributary thereto in such manner that the sewer or drainage therefrom shall enter the waters of Brewer pond or any pond or stream tributary thereto. No person shall hereafter throw the body of any dead animal or other offensive material into the water of said Brewer pond or into the waters of any pond or stream tributary thereto, or leave the same upon such ponds, or streams, when frozen; nor shall any sewage, drainage, refuse or polluting matter, of such kind and amount as, either by itself or in connection with other matter, will tend to corrupt or impair the purity of the waters of said ponds and streams, or tend to render them injurious to health, be discharged into said waters or deposited therein or thereon.

**Sec. 14. Penalty for pollution of source of water supply.** Whoever violates any of the provisions of sections thirteen of this act shall be punished by a fine not exceeding five hundred dollars or by imprisonment not exceeding one year and the supreme judicial court shall have jurisdiction in equity to enjoin, prevent or restrain any violation of the provisions contained in section thirteen of this act.

**Sec. 15. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 26, 1917.

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## Chapter 105.

An Act Providing for the Licensing of Drivers of Automobiles for Hire in the Town of Eden.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Fee and by whom licensed.** No person shall set up, use, or drive any automobile for the conveyance of persons for hire in the town of Eden, unless said person is licensed by the selectmen, and the selectmen may grant such license on the payment of a license fee of one dollar, which license shall continue in force for one year from date. •

**Sec. 2. Penalty for violation; jurisdiction.** Any person violating any provisions of the foregoing section shall be punished by a fine not exceeding twenty dollars for each offence to be recovered to the use of the town of Eden by complaint before any municipal court in the county of Hancock.

**CHAP. 106**

**Sec. 3. Term defined.** The term automobile as used in this act shall include all vehicles self-propelled on the highway, town ways and public streets by motive power of whatsoever kind namely, automobiles used for the conveyance of persons for hire only, but not including road-rollers so called.

Approved March 26, 1917.

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## **Chapter 106.**

An Act to Repeal the Act Incorporating the Town of Perkins.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporate existence preserved for certain purposes.** The act entitled, "An Act to Incorporate the Town of Perkins," approved June twenty-four, eighteen hundred and forty-seven, is hereby repealed; provided, however, that the corporate existence, powers, duties and liabilities of said town shall survive for the purpose of prosecuting and defending all pending suits and cases of suits to which said town is or may be a party, and all needful processes growing out of the same, and for the further purpose of providing for the payment of all or any judgments, which may be recovered against such town.

**Sec. 2. Dispositon of unexpended school funds.** All funds unexpended for school purposes at the time when this act is effective out of amounts raised by said town for school purposes or out of amounts paid by the state for school purposes, shall be paid by the treasurer of said town or such other person in whose custody such funds may be, to the treasurer of state. Such amounts, so received, shall constitute a fund for school purposes of which the income only shall be expended and applied for the schooling of children resident within the limits of the present town.

**Sec. 3. Date when effective.** This act shall take effect and be in force from and after the first day of March in the year of our Lord one thousand nine hundred and eighteen.

~~REPEALED~~ Approved March 26, 1917.

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## **Chapter 107.**

An Act to Ratify the Doings of the Town of Winthrop in Reference to the Charles M. Bailey Public Library.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Proceedings of town meeting of Nov. 4th, 1916, validated.** The action of the voters of the town of Winthrop at the meeting thereof held upon the fourth day of November, nineteen hundred and sixteen in voting to authorize the selectmen thereof to enter into a contract with Charles M. Bailey respecting the support and management of the Charles M. Bailey

**CHAP. 108**

Public Library and of the grounds and buildings connected therewith, in making and adopting certain by-laws respecting the management, care and control of said library, the grounds and buildings connected therewith and the election of its board of trustees is hereby ratified, approved and confirmed and the trustees so elected are declared the legal trustees.

**Sec. 2. Trustees, how elected.** The town of Winthrop is authorized to annually elect a board of trustees in the manner provided in its by-laws and without a special article in the warrant therefor; no person shall be ineligible as trustee by reason of sex.

**Sec. 3. Incorporation; name and corporators; may hold property not exceeding \$150,000.** Charles I. Bailey, Edward R. Jones, Herbert E. Wadsworth, Herbert E. Foster, John H. McIlroy, Edwin T. Clifford, Luella F. Beale, John A. Stanley, Linwood B. Jones, Eva A. Bailey and Harriet L. Kilbreth, the present board of trustees of the Charles M. Bailey Public Library, and their successors in said trust, are hereby constituted a body corporate under the name of Trustees of the Charles M. Bailey Public Library, with all the corporate powers given to like corporations by chapter sixty-two of the revised statutes. Said corporation may take and hold by purchase, gift, devise or bequest, personal or real estate, in all not exceeding in value one hundred and fifty thousand dollars, owned at any one time, and use and dispose thereof only for the purposes for which the corporation was organized.

Approved March 29, 1917.

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## Chapter 108.

An Act to Incorporate the Birch Point Village Corporation.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporation bounded.** The territory embraced within the following limits, to wit: All that portion of Birch Point, so-called, in the town of West Bath, which lies between the New Meadows river on the west, and Winnegance Bay on the east, and south of a line beginning on said New Meadows river at the northwest corner of land of the Crooker heirs, and thence running easterly across said Birch Point in a straight line to the northeast corner of land of J. Edward Drake, and another, on Winnegance Bay; also so much of the town road leading from said Birch Point to Bath as is included in the following description, namely: Beginning at the point where the westerly side line of said road intersects the northerly line of said territory as above described; thence running northerly by the westerly side line of said town road to the junction of said road at Campbell's Corner, so-called, with the Bath and Phippsburg road; thence crossing said road at right angles to the easterly side line thereof; thence southerly by the easterly side line of said road to the northerly line of said territory as above described; thence westerly by said line to the point of beginning; together with the inhabitants thereon and certain owners of real estate



**CHAP. 108**

thereon, as hereinafter specified, is hereby created a body politic and corporate, by the name of the Birch Point Village Corporation.

**Sec. 2. Purposes for which money may be appropriated.** Said corporation is hereby authorized and vested with the power at any legal meeting called for the purpose to raise money for the following purposes: To create and maintain a fire department with all the necessary equipment, appliances and apparatus for the prevention and extinguishment of fires; to build, repair and maintain roads, streets and ways, sidewalks, sewers and other sanitary works, including the collection and removal of offal and garbage; to care for and beautify that portion of said territory which has been or may hereafter be reserved for and dedicated to public uses to be enjoyed in common by all the owners of estates in said territory and to that end to build roads and walks upon and through said public lands and to plant and care for trees in the roads and streets and upon said public lands; to build, repair and maintain public wharves and landings; to establish and maintain police and night watch; to procure water for fire, domestic and other purposes and to produce or procure light for public use and for the use of the inhabitants of said territory, and for such purposes to contract with any individual, firm or corporation to furnish such water or light for either or both of the purposes named and to establish responsible rates subject to approval by the public utilities commission, to be paid by the inhabitants of said territory using such water or light for domestic purposes; to construct, maintain and operate telephone or telegraph lines or to aid in such construction, maintenance and operation and to that end and for that purpose to contract with any corporation, firm or individual therefor; and to defray any and all other necessary or proper corporate charges.

**Sec. 3. Town of West Bath relieved of certain responsibilities.** The town of West Bath is hereby relieved from any and all duty to build, repair or maintain roads, streets or ways upon said territory or to build school houses or maintain schools thereon or to perform any of the duties for which said corporation is authorized by section two of this act to raise money, and said town shall not be liable for defects in streets, ways or roads in said territory nor for failure to perform any duty from which it is relieved by this act, but said corporation shall assume all of said duties and be liable for said defects in streets, ways and roads and for failure to perform the duties assumed as the town of West Bath would have been liable except for this act, which liability may be enforced under the same conditions, in the same manner and with the same remedies as are provided by law in relation to towns.

**Sec. 4. Corporation to assume certain powers and duties of West Bath.** Said corporation and the overseers thereof shall have the same power and duties in laying out, discontinuing and altering town ways in said territory which the town of West Bath and the selectmen now have, to be exercised and performed under the same conditions and limitations and in the same manner that they are now exercised and performed by said town and its selectmen.

## CHAP. 108

**Sec. 5. Treasurer of town to pay certain percentage of taxes collected to corporation.** The town of West Bath shall annually pay over to the treasurer of said corporation out of the taxes collected from the inhabitants and estates in said territory a sum equal to sixty per centum of all the town taxes, exclusive of the state and county tax, collected from said inhabitants and estates.

**Sec. 6. Assessment of taxes.** All moneys which shall be raised for the purposes named in section two of this act or for any other purpose, for which the corporation may lawfully raise money, shall be assessed upon the taxable polls and estates embraced within the limits of the corporation by the assessors of the town of West Bath in the same manner as is provided by law for the assessment of town and county taxes. For the purposes of taxation under this act the person or persons entitled to the use or occupation of any lot of land in said territory shall be deemed the owner thereof and be taxed for said lot and the improvements, if any, thereon.

**Sec. 7. Officers; how chosen and qualified.** The officers of said corporation shall be a clerk, who shall be a resident of this state, a treasurer and five overseers, who shall be chosen by ballot, and such other officers as the by-laws of said corporation may require. Said corporation is empowered to adopt at any legal meeting called for that purpose a code of by-laws for the government of the same and for the proper management of its prudential affairs and other purposes connected therewith, provided said by-laws are not repugnant to the laws of the state. Such code of by-laws may be altered or amended at any legal meeting of the corporation in the call for which notice of the proposed change has been given. The officers aforesaid shall be sworn before the clerk or a justice of the peace and the treasurer shall give bond to said corporation in such sum as the overseers may direct, which bond shall be approved by the overseers and clerk.

**Sec. 8. Eligibility.** Any person who is a legal voter in said corporation may be elected or appointed to any office therein, but shall cease to hold said office whenever he ceases to be such legal voter.

**Sec. 9. Duties of overseers.** Said overseers shall be the general municipal officers of said corporation and shall have general charge of its affairs and of the expenditure of all money therein except so far as the same may be committed to other officers or persons.

**Sec. 10. Collection of taxes and disposition of money collected; compensation of collector.** Upon a certificate being filed with the assessors of the town of West Bath by the clerk of this corporation of the amount of money voted to be raised at any meeting for any of the purposes aforesaid, it shall be the duty of said assessors or their successors in office, at the time of the next annual assessment of town and county taxes in said town of West Bath to assess the total amounts certified by the clerk of this corporation upon the polls and estates of persons residing within the limits of said corporation and upon the estates of non-resident proprietors thereof and to certify and deliver the lists of the assessments so made to the col-

lector of the town of West Bath, whose duty it shall be to collect the same in like manner as county and town taxes are by law collected and said collector shall pay over all moneys collected by him to the treasurer of said corporation whenever the overseers shall so direct. It shall be the duty of the treasurer of said corporation to receive all moneys belonging to the corporation and to pay it out only upon the written order or direction of the overseers and to keep a regular account of all moneys received and paid out and to exhibit the same to the overseers whenever requested, and said town of West Bath shall have the same power to direct the mode of collecting said assessments it has in the collection of the town taxes and said collector shall have the same rights and powers to recover any taxes committed to him under the provisions of this act by suit that he has for the collection of town taxes committed to him and the town of West Bath shall have the same right to recover taxes assessed under this act by suit that it has to recover town taxes assessed therein. The collector of West Bath shall be entitled to receive the same percentage for the collection of taxes assessed under this act and the same fees in connection with the collection thereof which he receives for the collection of the town taxes.

**Sec. 11. Legal voters and manner of voting.** All persons residing within the limits of said corporation, who would be legal voters in the town of West Bath and every person of lawful age who owns and is in possession of one or more lots of land in said territory shall be legal voters at any meeting of said corporation at which they are present. The overseers of said corporation shall determine who are the legal voters at any meeting and shall prepare a list of said voters at least twenty-four hours before every meeting, which said list they may amend or correct at any time before said meeting or during its progress. The vote upon any proposition at any meeting shall be taken and checked by this list upon the demand of five legal voters; provided, however, that every person who by virtue of a joint ownership of himself and some other person or persons, and by agreement with the other joint owners, is in possession of a certain aliquot part of a lot of land in said territory upon which he has a dwelling house owned and controlled by himself exclusively, shall be deemed a legal voter at any meeting of the corporation at which he is present.

**Sec. 12. Initial election of officers; tenure; annual meetings.** The first election of officers shall be at the meeting at which this charter is accepted. Said officers shall hold their respective offices until the next annual meeting of the corporation, at which said meeting officers shall be elected and thereafterwards at each annual meeting, but in any event all officers duly elected shall hold office until their successors are elected and duly qualified. The annual meeting of said corporation shall be held on the last Saturday of July in each year.

**Sec. 13. Acceptance of charter; who may call meeting; place of meeting, nature of call, proceedings.** This charter may be accepted at any time within two years from its approval by the governor, but only one meeting to vote thereon shall be called in any one calendar year. J. Edward Drake, Frederick E. Drake, Oliver Moses, Daniel E. Williams, Georgie L. Drake,

**CHAP. 109**

Roy F. Shackford, David A. Merry and Harry O. Richardson, or either of them, may call all meetings of the corporation previous to the acceptance of the charter and the election of officers, and notify the persons entitled to vote therein to meet at some suitable time and place, in said territory, by posting notices in two public places in said territory seven days at least before the time of holding said meeting; all subsequent meetings shall be called and notified by the overseers as town meetings shall be called and notified by the selectmen; either of the above named persons is authorized to preside at any meeting previous to the acceptance of the charter until the meeting is organized and until a moderator shall have been chosen by ballot and sworn; at all meetings of the corporation a moderator shall be chosen in the manner and with the same power as in town meetings.

**Sec. 14. Date when effective.** This act shall take effect when approved by the governor so far as to authorize the calling of a meeting or meetings of said corporation for the purpose of voting upon the acceptance of this charter, and whenever this charter shall be accepted by a majority of the voters of said corporation at a legal meeting called for that purpose, then the same shall take and have complete effect in all its parts.

Approved March 29, 1917.

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## Chapter 109.

**An Act Respecting Removal of Filth from Docks in the City of Portland.**

*Be it enacted by the People of the State of Maine, as follows:*

**City council may enforce regulations by penalties.** The city council of the city of Portland may make and enforce by penalties, regulations respecting the removal from the docks in said city of all filth which may for want of removal be dangerous to the public health.

Approved March 29, 1917.

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## Chapter 110.

**An Act to Incorporate the Odd Fellows' Home of Maine.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Name and corporators.** Charles O. Small, Reuel Robinson, Leon S. Merrill, Louis E. Flanders, and Ellery Bowden, their associates and successors, are hereby created and constituted a body politic and corporate under and by the name and style of the Odd Fellows' Home of Maine; with all the powers and privileges and subject to all the duties, liabilities and restrictions incident to similar corporations created under the laws of this state.

**Sec. 2. Purposes.** The objects and purposes of this corporation shall be to collect, receive and hold moneys and any and all other kinds of per-

sonal property given by voluntary contributions, bequests, or otherwise, and real estate purchased, given, granted or devised, the same to be held, used, improved and expended in the purchase of lands, in the erection, establishment and equipment of buildings thereon and the care and maintenance therein and thereon and elsewhere, of indigent and unfortunate members of the fraternity of the Independent Order of Odd Fellows within the state of Maine; in the care, support and maintenance of the wife or widow of any such member and in the care, support, maintenance and education of any minor child or children of a dependent or deceased member of the fraternity.

**Sec. 3. Composition; trustees, other officers, committees, etc.; duties and powers.** The corporation hereby created and established shall consist of the grand master, deputy grand master, and grand warden of the Grand Lodge of Maine, Independent Order of Odd Fellows, during their respective and several terms of office, ex-officiis, and the grand patriarch of the Grand Encampment of Maine Independent Order of Odd Fellows, during his term of office, ex-officio, and the president of the Rebekah Assembly of Maine, Independent Order of Odd Fellows, during her term of office, ex-officio, and five other Odd Fellows and three other Rebekahs, all in good and regular standing in their respective lodges, resident within the State of Maine, who shall be known as the trustees of the Odd Fellows' Home of Maine, said Odd Fellow trustees to be elected by the said grand lodge and for such terms of office as said grand lodge shall determine; and said Rebekah trustees to be elected by the said Rebekah assembly for such term as said grand lodge shall determine; all of said trustees shall be removable for cause by the body electing them. The grand secretary, and grand treasurer of said grand lodge, shall, during their several terms of office, be the secretary and treasurer, respectively, of this corporation. All other officers, agents, committees, employees and servants shall be selected by the corporation. The corporation shall have the power and authority to make, adopt and enforce any and all by-laws, rules and regulations for the government and management of said home and the efficient administration of the powers conferred by this act; provided, however, that such by-laws, rules and regulations shall first be approved by the grand lodge at a regular session thereof; and provided further that said by-laws, rules and regulations may be altered, amended, or annulled by said grand lodge at any regular session thereof. The corporation shall submit to said grand lodge at each regular session a full report of its doings and acts, of all receipts and expenditures, and of the true condition of the home and its funds. Copies of said report shall be furnished to the Grand Encampment and Rebekah Assembly at their regular sessions.

**Sec. 4. Vacancy in board of trustees.** Any vacancy occurring among said trustees may be filled temporarily by the other members until the next regular session of the grand lodge and Rebekah Assembly when the vacancy or vacancies shall be filled by the election, for the remainder of the term, by that body entitled to representation.

**Sec. 5. Property not to exceed \$300,000; tax exempt; investment of funds.** The corporation hereby created and established is authorized to re-

**CHAP. 111**

ceive, hold and use real and personal estate for the aforesaid charitable, educational and benevolent uses and purposes, and free from taxation so long as the same shall be used for said purposes in accordance with such by-laws, rules and regulations as shall be prescribed and adopted for the same, to an amount not exceeding three hundred thousand dollars. Said trustees shall invest the moneys and funds of the corporation in savings banks, in the interest paying departments of trust companies and national banks, in sound real estate first mortgages, and in such other securities only as are authorized by law for the investment of the funds of savings banks in the state of Maine. No officer of the corporation shall hire or borrow any of the moneys or funds belonging to said corporation or be security for loans thereof to another.

**Sec. 6. Provisions of act to be accepted by both bodies; proceedings in absence of favorable vote by assembly.** This act shall not take full effect until accepted by votes of the said grand lodge and Rebekah assembly at their regular sessions; but in case the Rebekah assembly shall vote not to accept the provisions of this act, then and in such case the affirmative vote of said grand lodge, taken as aforesaid, shall be sufficient and the corporation created and established by this act shall consist of the grand master, deputy grand master and grand warden of the Grand Lodge of Maine, the grand patriarch of the Grand Encampment of Maine during their several terms of office, ex-officiis, and five other Odd Fellows, as provided in the third section of this act, and it shall have all the rights, powers and privileges and be subject to all the duties, conditions and obligations of this act; provided, however, that none of the moneys, funds or other properties which have heretofore been received and accumulated and are now held by said grand lodge and Rebekah assembly, or any moneys, funds or other property which may hereafter be received, accumulated, or held by either said grand lodge or Rebekah assembly, shall be conveyed, given, paid to, or turned over to this corporation until said grand lodge and Rebekah assembly, at regular sessions of the same shall have voted so to do.

Approved March 29, 1917.

## Chapter 111.

An Act to Amend Section Two of Chapter Three Hundred Forty-six of the Private and Special Laws of Nineteen Hundred Five, Relating to the Powers and Duties of the Probation Officer of Cumberland County.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1905, c. 346, § 2, amended.** Section two of chapter three hundred forty-six of the private and special laws of nineteen hundred five, is hereby amended by striking out all of said section two and in place thereof, inserting the following:

**'Sec. 2. Duty of police officers to co-operate; powers not limited to criminal matters.** Said probation officer so far as necessary in the performance of his official duties shall have all the powers of a truant officer,

## CHAP. 112

police officer, constable and deputy sheriff but he shall report to the said courts, or either of them, concerning all matters committed to him, whenever required. It shall be the duty of police officials to co-operate with the said probation officer in obtaining and reporting information concerning persons on probation and to assist him, when called upon, in the discharge of his duties. He may also, without warrant or other process, take any person placed in his care by either of said courts at any time until such person is committed on mittimus in final execution of sentence and bring him before the court, or the court may issue a warrant for the re-arrest of any such person; and the court may thereupon proceed to sentence, order mittimus to issue where it has been stayed or make any other lawful disposition of the case.'

Approved March 29, 1917.

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## Chapter 112.

**An Act to Authorize the Erection and Maintenance of a Bridge across that Part of the Aroostook River known as the Back Channel.**

*Be it enacted by the People of the State of Maine, as follows:*

**Location and persons authorized to erect same.** George B. Smith of Ashland in the county of Aroostook, his heirs and assigns, are hereby authorized to erect and maintain a bridge suitable for farm traffic across that part of the Aroostook river known as the Back Channel, at the westerly terminal of the Goding road, so called, in said Ashland, to the Bearce and Butler islands, so called, in said Aroostook river in the town of Ashland.

Approved March 29, 1917.

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## Chapter 113.

**An Act to Make Legal and Valid the Annual Town Meeting of Clifton, in the County of Penobscot, held March Nineteenth, Nineteen Hundred Seventeen.**

*Be it enacted by the People of the State of Maine, as follows:*

**Acts of annual town meeting of March 19th, 1917, validated.** The annual town meeting of the town of Clifton, in the county of Penobscot held on the nineteenth day of March, nineteen hundred seventeen, is hereby ratified and made legal and valid, notwithstanding any irregularity in the election of the selectmen and other officers, and all doings at said meeting are hereby declared to be legal and valid.

Approved March 29, 1917.

## Chapter 114.

An Act to Authorize the City of Augusta to Acquire Property.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. May acquire such other real and personal estate as city council deems necessary.** The city of Augusta shall have power to purchase, take, or otherwise acquire and hold such real and personal property, in addition to that now held, as its city council may find necessary for municipal purposes.

**Sec. 2. Inconsistent statutes repealed.** All acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 29, 1917.

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## Chapter 115.

An Act to Regulate the Sale of Milk in Bottles or Jars, within the Town of Eden, Hancock County.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Name of dealer must be blown into glass.** No person, either by himself, clerk, servant, or agent, shall sell, or offer for sale, any milk or cream, in bottles or jars, within the town of Eden, Hancock County, Maine, unless the name or initials of such person, or those of his principal, are blown in the bottle or jar containing the milk or cream so sold or offered.

**Sec. 2. Penalty for violation.** Whoever, as principal or as clerk, servant, or agent, violates the provisions of the first section hereof shall forfeit the sum of ten dollars for each offense, to be recovered by complaint.

Approved March 29, 1917.

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## Chapter 116.

An Act to Confirm and Make Clear Certain Powers of the Bangor Railway and Electric Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Given same rights under new name that it had under old.** The Bangor Railway and Electric Company, a corporation organized under the general laws of the state of Maine as the Old Town Electric Company, the name of which was changed to Bangor Railway and Electric Company by chapter forty-six of the private and special laws of nineteen hundred five, is hereby granted the same right and power to convey persons and property over all its street railroad lines that is conferred upon street railroads by section two of chapter fifty-eight of the revised statutes.

Approved March 29, 1917.



## Chapter 117.

**An Act to Amend Chapter One Hundred Twenty-one of the Private and Special Laws of Nineteen Hundred Thirteen to Enable the Annual Meetings of Madison Water District to be held at any Time During the Month of July in Each Year.**

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1913, c. 121, § 17, amended.** Section seventeen of chapter one hundred twenty-one of the private and special laws of nineteen hundred thirteen is hereby amended by striking out in the second and third lines of said section the words, "on the first Monday of July", and inserting in the place thereof, 'during the month of July', so that said section as amended shall read as follows:

**'Sec. 17. Annual meetings may be held any time during month of July.** The annual meetings of said water district and the respective sections thereof shall be held during the month of July in each year after the acceptance of this act for the choice of one or more trustees and such other officers as said water district or sections thereof shall by vote or by-laws determine, and for the transaction of any other business that may legally come before such meetings; special meetings of said water district and of the respective sections thereof shall be called at any time upon written application to the assessors of Madison Village Corporation and the selectmen of Anson respectively by the trustees or ten or more legal voters of said water district or of the respective sections thereof. The written application for such meetings shall contain in separate articles the business to be acted on and no other business shall be transacted at said meeting except such as is contained in the articles of the warrant calling such special meetings. All meetings, except the first, of said water district and of the respective sections thereof may be held jointly or separately as said sections may by vote or by-law determine.'

Approved March 29, 1917.

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## Chapter 118.

**An Act Authorizing the Appointment of the United Baptist Convention of Maine as Trustee and to Excuse said Corporation from Furnishing Surety on its Official Bond.**

*Be it enacted by the People of the State of Maine, as follows:*

**Authorization of appointment of trustee; surety not required on bond.** The United Baptist Convention of Maine, a corporation organized and existing under laws of said state of Maine, may be appointed trustee of trust funds belonging to the Baptist and Free Baptist churches, societies or corporations within said state of Maine, with the same powers and duties as are conferred and imposed by law upon natural persons acting in the same capacity and subject to the same control of the courts having jurisdiction of the same, in all proceedings relating to the exercise of these

**CHAP. 119**

powers. All papers may be signed and sworn to by the treasurer or by any other officer designated by the corporation for that purpose, and the officer shall be subject to citation and examination in the same manner and to the same extent as natural persons acting in the same capacity. No surety shall be required upon the bond of said corporation when acting in said capacity.

Approved March 29, 1917.

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## **Chapter 119.**

An Act to Amend the Charter of Coburn Classical Institute.

*Be it enacted by the People of the State of Maine, as follows:*

**May acquire additional property to extent of \$500,000.** The trustees of Coburn Classical Institute may acquire and hold real and personal property, and the income thereof, for the uses and purposes of said institute to the amount of five hundred thousand dollars in excess of that now authorized by statute.

Approved March 29, 1917.

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## **Chapter 120.**

An Act Regulating the Appointment of the Members of the Police Force of the City of Brewer.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Qualification of patrolmen, etc.; retirement.** No person shall be appointed to the police or watch of the city of Brewer, as policeman, patrolman, watchman or keeper, or for any position of like rank, or for any position of inferior rank thereto, unless such person shall be a citizen of the United States, not under twenty-five years of age, and shall have had a continuous residence in the city of Brewer for at least two years before said appointment. He shall hold such office or position during good behavior and prompt attention to duty, except that when any policeman, patrolman, watchman or keeper shall have arrived at the age of sixty-five years, he shall be honorably discharged.

**Sec. 2. Appointment and removal.** All appointments hereafter for any office or position described in section one, shall be made by the mayor, with the approval of the aldermen, and all removals from such office or position shall likewise be made by the mayor with the approval of the aldermen, said removal, however, shall be made only after due notice and hearing given said officer sought to be removed.

**Sec. 3. Deputy marshal, captain and sergeant; how appointed.** Every appointment of deputy marshal, captain, sergeant of police, except city marshal, and except detectives, not employed in the ordinary duties of the

## CHAP. 121

force, shall be made by said mayor, with the approval of the aldermen, on recommendation of the city marshal, from those persons already members of said police or watch.

**Sec. 4. Chief of police; how chosen.** The chief of police, who shall be styled the city marshal, shall be elected by the city council, as now provided by law.

**Sec. 5. Exceptions.** This act shall not apply to policemen and watchmen not in the pay of the city, nor to special policemen employed temporarily on extraordinary occasions.

**Sec. 6. Terms of office of present policemen terminated.** When this act shall take effect the terms of office of all regular policemen of said city, then holding office, shall forthwith terminate, and forthwith thereafter, appointments of policemen shall be made by the mayor, with the approval of the aldermen, as herein provided, and the tenure of office of said policemen so appointed shall be in accordance with the provisions of this act.

**Sec. 7. Authority of department not impaired.** Except as herein expressly provided this act shall not take away, or impair, any authority or power relative to police or watch vested in the city council, aldermen, mayor or any other officer of the city of Brewer.

Approved March 29, 1917.

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## Chapter 121.

An Act to Ratify the Organization of Capital Park and Give Additional Powers to said Corporation.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Organization ratified.** The organization of Capital Park, a corporation organized under the general law, the certificate of which was filed in the office of the secretary of state on the sixth day of March, nineteen hundred and seventeen, is hereby ratified and confirmed.

**Sec. 2. Exempt from certain statutory provisions.** Said corporation shall have all the powers and be subject to all the limitations expressed in its certificate of organization, and shall be exempt from the provisions of section twenty-eight of chapter fifty-one, and of section eighteen of chapter nine of the revised statutes, and shall have all the benefits and immunities of charitable corporations organized under chapter sixty-two of the revised statutes.

Approved March 29, 1917.

## Chapter 122.

An Act to Repeal Chapter Four Hundred and Fifty-three of the Private and Special Laws of Eighteen Hundred and Sixty-eight, and all Acts Additional thereto and Amendatory thereof, Relating to a Ferry across the Penobscot River, between Orono and Bradley.

*Be it enacted by the People of the State of Maine, as follows:*

**Right given Ulysses H. Walker to maintain ferry, rescinded.** Chapter four hundred and fifty-three of the private and special laws of the year of eighteen hundred and sixty-eight, and all acts additional thereto and amendatory thereof, particularly including chapter one hundred and thirty of the private and special laws of the year of nineteen hundred and seven, under and by virtue of the provisions of which legislation Ulysses H. Walker, of Orono, maintains and operates a ferry across the Penobscot river, to and fro between the town of Orono and the town of Bradley, are hereby repealed.

Approved March 29, 1917.

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## Chapter 123.

An Act to Authorize the City of Lewiston to Issue its Bonds to the Amount of Two Hundred Thousand Dollars to Pay its Bonds now Outstanding and Maturing in the Year One Thousand Nine Hundred and Seventeen.

*Be it enacted by the People of the State of Maine, as follows:*

**Authorized to issue bonds to amount not exceeding \$200,000; provisions.** To meet its bonds now outstanding and maturing in the year one thousand nine hundred and seventeen, the city of Lewiston is authorized to issue bonds to an amount not exceeding two hundred thousand dollars; payable at a period or periods not exceeding forty years after the date thereof, and bearing interest at a rate not exceeding four per cent per annum, payable semi-annually; said bonds shall be issued in serial form and shall mature in the following manner, to wit: Five thousand dollars the first year and five thousand dollars on each and every year succeeding until the whole debt of two hundred thousand dollars is fully paid. Said bonds shall be issued under the seal of the city and shall be signed by the mayor and the treasurer of the city, and the coupons attached to said bonds shall have the printed or lithographed signature of the treasurer.

Approved March 29, 1917.

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## Chapter 124.

An Act to Incorporate the Mattakeunk Stream Dam and Improvement Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Name and corporators.** George M. Stearns, W. I. Butterfield, Edward B. Draper, Everett E. Amey, Gilbert Oakley, Harrison Merrill, their associates and assigns, are hereby incorporated under the name of the

Mattakeunk Stream Dam and Improvement Company, with all the powers and privileges of similar corporations.

**Sec. 2. Location, purposes, rights and powers; damages, how adjusted.** Said corporation is authorized to build dams, side dams, remove rocks and make all other necessary improvements in the East Branch of Mattakeunk Stream and on the main stream below the confluence of the East and West Branches to facilitate the driving of logs and lumber down the same, and for this purpose said corporation may take land and materials necessary to build such dams and make such improvements; and may flow contiguous lands so far as necessary to raise suitable heads of water. And if the parties cannot agree upon the damages, the corporation shall pay the proprietors of the land and materials so taken such damages as shall be ascertained and determined by the county commissioners for the county of Penobscot, in the same manner and under the same conditions and limitations as are by law provided in the case of damages by laying out public highways. And for the damage occasioned by flowing land, the said corporation shall not be liable in an action at common law, but persons injured may have a remedy by a complaint for flowing, in which the same proceedings shall be had as when a complaint is made under a statute of this state for flowing lands, occasioned by raising a head of water for the working of mills; but said corporation is not authorized to take, by right of eminent domain, any developed water power.

**Sec. 3. Reservation by state.** The State of Maine reserves the right to take over by proper legislation, the property, rights and franchises of said company upon the payment of just compensation to the owners thereof, but such compensation shall not include the value of the franchises hereby granted.

**Sec. 4. Tolls; how collected.** Said corporation may demand and receive a toll for the passage of logs and lumber over or through its said dams and improvements as follows: twenty-five cents per thousand feet for logs, twelve and a half cents per cord for pulp wood, twenty-five cents per thousand feet for ties, reckoning fifty ties to a thousand feet, if not scaled.

And said corporation shall have a lien upon all logs and lumber which may pass over its dams and improvements for the payments of said tolls; but the logs of each particular mark shall be holden only for tolls of such mark, and unless such toll is paid within twenty days after such logs or lumber, or a major part of the same, shall arrive at the place of manufacture or destination, said corporation may seize said logs and lumber and sell at public auction so many and so much thereof as shall be necessary to pay such tolls, costs and charges thereon, after ten days' notice in writing of the time and place of said sale given to the owner of such logs or lumber, or his agent.

**Sec. 5. Cessation of tolls.** When said corporation shall receive from tolls its outlay on all dams and improvements, and for repairs made up to that time, with six per cent interest thereon, then the tolls herein provided shall be reduced to a sum sufficient to keep said dams and improvements in repair. Said corporation shall keep correct and full account of all

**CHAP. 125**

its receipts and expenditures, and shall submit the same at any time for examination to any person, firm or corporation liable to pay tolls under this act.

**Sec. 6. Dams not to be used for power purposes.** No dam built by said corporation under this act shall be used for power purposes.

**Sec. 7. Capital stock; management.** The capital stock of said corporation may be fixed by it from time to time, but not to exceed fifty thousand dollars to be divided into shares of such par value as it may determine. The corporation may, by its by-laws, provide for all its officers and for the management of its internal affairs in the same manner as corporations organized under the general laws of the state.

**Sec. 8. First meeting; how called.** The first meeting of said corporation shall be called by a notice signed by one of the incorporators named in section one, mailed to each of the other incorporators at least seven days before the day of such meeting.

Approved March 29, 1917.

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## Chapter 125.

An Act to Incorporate the Casco Title Guaranty Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Name and corporators.** Ernest L. Small, Charles R. Cressey Charles M. Hay and Charles E. Gurney of Portland, Edward C. Reynolds and Lauren M. Sanborn of South Portland, or such of them as may vote to accept this charter, with their associates, successors and assigns, are hereby made a body corporate and politic to be known as the Casco Title Guaranty Company and as such shall be possessed of all the powers, privileges and immunities and subject to all the duties and obligations conferred on corporations by law, except as otherwise provided herein.

**Sec. 2. Location.** The corporation shall be located at Portland, Cumberland County, Maine.

**Sec. 3. Purposes.** The purposes of said corporation and the business which it may perform, are: first, to borrow money, to loan money on credits, or real estate, or personal or collateral security, and to negotiate loans and sales for others; second, to hold and enjoy all such estate, real, personal and mixed, as may be obtained by the investment of its capital stock or any other moneys and funds that may come into its possession in the course of its business and dealings, acquired in satisfaction of debts due the corporation under sales, judgments and mortgages; or by subrogation under its guarantees, and the same to sell, grant and otherwise dispose of; third, to guarantee bonds and mortgages and titles to real estate, and to make and cause to be made, and to purchase and to pay for all such searches, abstracts, indices, maps and copies of records as the directors

may deem necessary; fourth, to guarantee the payment of the principal and interest of all obligations secured by mortgages of real estate; fifth, to act as agent for the owners of real estate for the collection of income on the same, and for the sale of the same.

**Sec. 4. Capital stock.** The capital stock of said corporation shall not be less than one hundred thousand dollars, divided into shares of one hundred dollars each, with the right to increase the said capital stock at any time, by a majority vote of the holders of its stock then issued and outstanding, to any amount not exceeding five hundred thousand dollars. Said corporation shall not commence business until stock to the amount of at least fifty thousand dollars shall have been subscribed and paid in, in cash.

**Sec. 5. Share of its own stock not to be accepted as security.** Said corporation shall not make any loan or discount on the security of the shares of its own capital stock, nor be the purchaser or holder of any such shares unless necessary to prevent loss upon debt previously contracted in good faith; and all stock so acquired, shall, within a reasonable time after its acquisition, be disposed of at public or private sale.

**Sec. 6. Officers; how chosen, tenure, duties, etc.** All the corporate powers of this corporation shall be exercised by a board of directors, who shall be residents of this state and who shall be elected by the shareholders, and whose number and term of office shall be determined by a vote of the shareholders at the first meeting held by the incorporators and at each annual meeting thereafter, unless otherwise provided by the by-laws of the corporation. Said board of directors may annually choose three or five of its members to act as an executive committee of said board with such powers and duties as shall be provided herein, or by any by-law of the corporation, or by any vote of said board of directors not inconsistent therewith, and said board of directors may annually choose a president and such vice-presidents, a treasurer, a clerk and such other officers and agents as from time to time shall be required by the by-laws of said corporation, or as are authorized by the board of directors and for such terms and with such powers and duties as shall be provided herein, or by any by-law of said corporation, or vote of said directors not inconsistent therewith. The directors of said corporation shall hold their office until others are elected and qualified in their stead. If a director dies, resigns, or becomes disqualified for any cause, the remaining directors may appoint a person to fill the vacancy until the next annual meeting of the corporation. The board of directors shall also fill, for the unexpired term, any vacancy in the executive committee.

**Sec. 7. Loans and investments.** The executive committee, if elected, as provided in section six, and if said committee shall not be elected, then the board of directors of said corporation shall constitute the board of investment of said corporation. Said directors, or the executive committee thereof, shall keep in a separate book, specially provided for the purpose, record of all loans, and investments of every description, made by said institutions substantially in the order of time when such loans or investments are made, which shall show that such loans or investments have been made

**CHAP. 125**

with the approval of a majority of the directors of said corporation, or of the executive committee thereof. No loan shall be made to any officers, director or agent of said company or to any other persons in its employ until the proposition to make such loan shall have been submitted by the person desiring the same to the board of directors of said corporation or to the executive committee of such board, if any, and accepted and approved by a majority of such board or committee. Such approval, if the loan is made shall be spread upon the records of the corporation; and this record shall, in every instance, give the names of the directors authorizing the loan. Said corporation shall have no authority to hire money or to give notes unless by a vote of said board or of said executive committee duly recorded.

**Sec. 8. Eligibility of directors.** No person shall be eligible to the position of a director of said corporation who is not the actual owner of five shares of stock.

**Sec. 9. Guaranty fund.** Said corporation shall set apart a guaranty fund not less than one fourth of the capital stock of said corporation issued and outstanding, which shall be kept as security against any losses or contingencies by reason of its guaranty, and whenever the same shall become impaired so that it shall amount to less than one fourth of the capital stock of said corporation issued and outstanding, no guaranty shall be issued by said corporation until said deficiency shall be made up. Said fund shall be invested in real estate, or in such other securities as the insurance commissioner may approve.

**Sec. 10. First meeting; how called; proviso.** Any three of the corporators named in this act may call the first meeting of the corporation by mailing a written notice signed by said three incorporators, postage paid, to each of the other corporators, seven days at least before the day of the meeting, naming the time, place and purpose of such meeting, and at such meeting the necessary officers may be chosen, by-laws adopted and any other corporate business transacted, provided that without such notice all such corporators may meet voluntarily at any time and effect their organization by electing officers, adopting by-laws and transacting other lawful business.

**Sec. 11. Jurisdiction; proviso.** Said corporation shall make no guaranty to any title of real estate situated outside the county of Cumberland until its capital stock is increased to two hundred and fifty thousand dollars.

**Sec. 12. Guaranty department to be kept separate; supervision.** The guaranty department of this corporation shall be kept separate and distinct from its other business, and shall be under the direction and control of the insurance commissioner to the same extent as insurance companies in this state now are.

Approved March 29, 1917.



## Chapter 126.

**An Act to Amend Chapter Two Hundred Forty-four Entitled "An Act to Provide a Charter for the City of Gardiner," of the Private and Special Laws of Nineteen Hundred Thirteen.**

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1913, c. 244, amended.** Chapter two hundred forty-four, entitled "An Act to provide a charter for the City of Gardiner," of the private and special laws of nineteen hundred and thirteen is hereby amended as follows:

**Sec. 1. P. & S. L., 1913, c. 244, § 8, amended.** Section eight of said act is hereby amended by adding at the end of clause one the following: 'or unless such person shall have been declared nominated by the city clerk as provided in section thirteen of this act,' so that said clause shall read as follows:

**'Sec. 8. (1). Candidates' names may be printed on ballot when declared nominated by city clerk.** Except as otherwise provided in section twenty-four of this act there shall not be printed on the official ballots to be used at any annual or special city election of the said city the name of any person as a candidate for the office of mayor or alderman unless such persons be nominated as a candidate at a preliminary election for nominations to be held as provided in this act, or unless such persons shall have been declared nominated by the city clerk as provided in section thirteen of this act.'

**Sec. 2. P. & S. L., 1913, c. 244, § 9, amended.** Section nine of said act is hereby amended by adding after the words "such annual or special city election" at the end of the first paragraph, the words 'except as hereinafter provided,' so that the first paragraph of said section shall read as follows:

**'Sec. 9. Exceptions provided for.** On the second Tuesday preceding every annual or special city election at which any officer mentioned in section seven is to be elected, there shall be held a preliminary election for nominations for the purpose of nominating candidates for such offices as, under the provisions of this act, are to be filled at such annual or special city election, except as hereinafter provided.'

**Sec. 3. P. & S. L., 1913, c. 244, § 13, amended.** Section thirteen of said act is hereby amended by inserting after the word "Nominations" and before the words "The city clerk" the following: 'But where not more than two candidates for nomination for any office have duly filed the above mentioned statements and petitions, the city clerk in his published statement shall declare that whereas not more than two candidates for nomination have duly filed the statements and petitions as required by the city charter, no preliminary election shall be held, and the candidates whose names appear in this statement are thereby declared to be nominated for the offices and terms for which they are candidates. If there are more than two candidates for nomination for any office, then,' so that said section shall read as follows:

**CHAP. 126**

**'Sec. 13. When there is no competition for nomination.** On the first day, not being Sunday or a legal holiday, following the expiration of the time for filing the above described statements and petitions, the city clerk shall cause to be published in one daily newspaper published in this city, if there be any, otherwise in the nearest daily newspaper published in Kennebec county, the names and residences of the candidates for nomination who have duly filed the above mentioned statements and petitions, and the offices and terms for which they are candidates for nomination, as they are to appear on the official ballots to be used at the preliminary election for nominations. But where not more than two candidates for nomination for any office have duly filed the above mentioned statements and petitions, the city clerk in his published statement shall declare that whereas not more than two candidates for nomination have duly filed the statements and petitions as required by the city charter, no preliminary elections shall be held, and the candidates whose names appear in this statement are thereby declared to be nominated for the offices and terms for which they are candidates. If there are more than two candidates for nomination for any office then the city clerk shall thereupon prepare the ballots to be used at such preliminary election for nominations and shall cause them to be printed and the ballots so prepared shall be the official ballots and the only ballots used at such preliminary election for nominations. They shall be headed on the face of the ballot as follows:

**Official Nominating Ballot.**

Candidates for nomination for (mayor, alderman of public safety and charities, alderman of streets and highways—using titles of any one, two, or all three as occasion requires) of the city of Gardiner at a preliminary election for nominations held on the ..... day of ..... in the year 19.., and on the back have the following heading:

**CITY OF GARDINER.  
OFFICIAL NOMINATING BALLOT.  
PRELIMINARY ELECTION.**

(Month) (Day) (Year)  
Attest:..... City Clerk.'

**Sec. 4. P. & S. L., 1913, c. 244, § 20, amended.** Section twenty of said act is hereby amended by inserting after the word "election" and before the word "and" in the ninth line the following: 'or who have been declared nominated by the city clerk as hereinbefore provided,' so that said section twenty shall read as follows:

**'Sec. 20. Names of persons declared nominated by clerk to be appended.** On the tenth and two succeeding days, not being Sundays or legal holidays, preceding the day fixed for an annual or special city election, the city clerk shall cause to be published in one daily newspaper published in the city, if there be any, otherwise in the nearest daily newspaper published in Kennebec county, a call for such election and shall append thereto the names and residences of the candidates nominated at the preliminary election for nominations held for such election, or who have been declared

nominated by the city clerk as hereinbefore provided, and the offices and terms for which they are candidates, as they are to appear on the official ballots to be used at such election. He shall also, at the same time, cause the chief of police or a police officer to post a copy of said call for election and list of candidates, printed in like form, at all the polling places in the city, and make return of his doings.'

**Sec. 5. P. & S. L., 1913, c. 24, amended.** Section twenty-four of said act is hereby amended by adding the following: 'or by declaration of the city clerk,' at the end of said section, so that the last sentence of said section shall read as follows:

**'Name of persons declared nominated by city clerk to be printed on ballot.** The name of no candidate other than that of the person whose removal is sought shall be printed on the official ballots to be used at such election, unless such candidate be nominated as hereinbefore provided at a preliminary election for nominations, or by declaration of the city clerk.'

**Sec. 6. Referendum provision.** This act shall take effect as to the city of Gardiner upon its acceptance by a majority of the voters of the city of Gardiner voting thereon at the first special or annual election of the city of Gardiner that is held for any purpose at which this act may be legally voted upon. The vote shall be taken by ballot in answer to the question: "Shall an Act passed by the legislature in the year nineteen hundred seventeen entitled 'An Act to Amend Chapter Two Hundred Forty-Four, entitled "An Act to Provide a Charter for the City of Gardiner" of the Private and Special Laws of Nineteen Hundred Thirteen,' be accepted?" which shall be printed on the official ballot.

**Sec. 7. Referendum not applicable to Sec. 16.** This act shall take effect in ninety days after the final adjournment of the legislature, so far as is necessary for the election as authorized by section six.

Approved March 29, 1917.

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## Chapter 127.

An Act to Extend the Charter of the Casco Bay Water Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended two years.** The charter granted to the Casco Bay Water Company by chapter two hundred seventy-four of the private and special laws of nineteen hundred eleven is hereby extended for two years from the time this act takes effect.

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 29, 1917.

## Chapter 128.

An Act to Extend the Charter of the Livermore and Augusta Railway Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended two years.** The rights, powers and privileges of the Livermore and Augusta Railway Company, which were granted by chapter one hundred eighty-nine of the private and special laws of nineteen hundred thirteen, are hereby extended for two years additional; and the persons named in said act and their associates and successors shall have the rights, powers and privileges that were granted to them by said act, to be exercised by them for the same purposes as specified in said act.

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 29, 1917.

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## Chapter 129.

An Act to Amend the Charter of the York Beach Village Corporation.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1901, c. 455, amended.** Sections one, two, three, four, five, six, seven, eleven, twelve, thirteen, fourteen and sixteen of chapter four hundred and fifty-five of the private and special laws of nineteen hundred and one are hereby amended, so that said sections as amended shall read as follows:

**'Sec. 1. Boundaries altered.** The territory in the town of York embraced within the following boundaries, namely: Beginning at high water mark on the shore of the Atlantic ocean at the easterly extremity of the corporate limits of the York Harbor Village Corporation and running by the easterly limits of said York Harbor Village Corporation in a northwesterly direction across the beach road locally known as York street to the northerly side of Long Sands road so-called; thence continuing in a northwesterly direction by and along the northerly side line of said Long Sands road to the northwesterly side line of land of the York Harbor and Beach Railroad Company, being the northerly bounds of said York Harbor Village Corporation territory; thence from said last named boundary, turning and running northeasterly by and along the northwesterly side line of said railroad land to the southwesterly side line of the road leading from Long Beach to the New road so called, and known as the Webber road; thence running northwesterly by and along the southerly side of said Webber road to and across the aforementioned New road to the northwesterly side line of said road; from thence running northeasterly by and along the northwest-

erly side line of said New road to the division line between the land of the heirs of Elijah Blaisdell and land of David Donnell; thence by said heirs and said Donnell's land northwesterly at right angles with said New road five hundred feet to a point on said line; thence turning and running northeasterly parallel with the aforementioned New road and five hundred feet distant therefrom to the intersection with the line forming the present bounds or limits of the present York Beach Village Corporation; thence north about twenty-three degrees east, to the intersection of the northwesterly side line of the Atlantic Shore Railway Company; thence by said boundary line of land of said railway company northerly to the center of the channel of Cape Neddick river; thence following said channel to the Atlantic ocean; thence southerly, easterly and westerly, as the shore line runs, to a point at low water mark southeast of the point of beginning; thence from said point at low water mark to the point of beginning; together with the inhabitants thereof, is hereby created a body politic and corporate by the name of the York Beach Village Corporation, with all the rights and privileges granted by the laws of the state to corporations.'

**'Sec. 2. Authorized to designate uses to which money received from town of York shall be put; purposes enlarged.** Said corporation is hereby authorized and vested with the power at any legal meeting called for that purpose, to apportion and designate the uses to which the money received from the town of York under the provisions of section four of the charter as now amended shall be put, the purposes and uses for said money being among other things as follows: To create and maintain a fire department with all the necessary engines, equipments, appliances and apparatus for the prevention and extinguishment of fires; to acquire and maintain property, buildings, and structures necessary for the use and preservation of its said fire department property; to construct a building to be used as village hall and to contain therein such offices and apartments, including lock-ups, as may be convenient for the administration of corporate rights and duties herein granted and to acquire land necessary and convenient therefor, or to lease or otherwise acquire said property, or portions thereof, for said purposes; to build, maintain and repair roads, streets, ways and sidewalks; to light and sprinkle its streets; to set out and care for shade trees; to improve and care for public grounds as hereinafter provided; to build and maintain such sewers and drains as the corporation may vote to build in addition to those already built and to be built and constructed by the town of York; to maintain a night watch or police force; to provide means for the collection and removal of the offal and garbage; to protect and care for the beaches; to care for and beautify that portion of the corporate territory of York Beach which may hereinafter be reserved and dedicated to public uses to be enjoyed in common by all the inhabitants of said York Beach Village Corporation and to that end to build roads and walks upon and to said public lands; to build, repair and maintain public walks, wharves and landings; to establish a sanitary and health department; to provide and establish a department with powers to govern and regulate building constructions at York Beach in order to prevent the erection of dangerous and unsightly buildings and structures; to advertise the beauties, advantages and attractions of York Beach as a summer resort; and to defray the expenses of all

## CHAP. 129

other necessary measures for the improvement of said village corporation, for the better security of life and property, and for the promotion of good order and quiet within the corporate limits; said corporation shall have the right and authority to receive, hold and manage, devise, bequests and gifts for any and all of the purposes authorized by this charter, and for the purposes herein named, and said York Beach Village Corporation, by its proper agents, may make contracts necessary and convenient for the exercise of its corporate powers.'

**P. & S. L., 1901, c. 455, § 3, amended.** Section three of chapter four hundred and fifty-five of the private and special laws of nineteen hundred and one, entitled "An Act to Incorporate the York Beach Village Corporation" is hereby amended, so that said section will read as follows:

**'Sec. 3. Rights, powers and privileges.** Said corporation, within its territorial limits shall have, and is hereby granted all the rights, powers and privileges which towns, or their municipal officers, have under the provisions of the revised statutes and public laws relating to drains and sewers, and all powers, duties and privileges granted by said statutes and public laws of the state of Maine to selectmen, clerks, treasurers and constables of towns are hereby respectively granted to and vested in the assessors, clerk and treasurer and constables and police officers of said corporation, and all powers conferred and duties, penalties, and obligations imposed by said statutes and by public laws upon towns and upon persons, for the benefit and protection of towns and persons, and of their drains, sewers and property, shall be possessed by, and imposed upon said corporation, and persons and property therein, for the benefit and protection of said corporation, persons and property, and the drains and sewers thereof. Provided however, that the assessors of said corporation shall not have power to construct drains or sewers at the expense of the corporation without a vote of the corporation, at some legal meeting called therefor, authorizing such construction.'

**'Sec. 4. Apportionment by town of York; how computed and how expended.** On or before the first day of July annually, beginning in nineteen hundred seventeen, the town of York shall appropriate and pay over to the York Beach Village Corporation a sum of money computed as follows: From the annual appropriation raised by the town taxation on the estates and polls within said York Beach Village Corporation for the preceding year shall be deducted said corporation's proportional part, based on valuation and poll tax assessment of the whole annual town levy for said preceding year for state, county and school taxes, salary of the town officers, reduction of town debt, interest on town charges, appropriations for roads, poor, incidentals, and any and all other town charges, and fifty-five per centum of the sum thus determined, after deducting the corporation's proportion of town obligations for hydrants and street lights, shall be said sum to be annually paid over to said corporation as herein provided. Said sum shall be expended by said corporation for its corporate purposes and duties, and payment thereof to the corporation shall relieve said town of all town charges within said corporation except for street lighting, hydrant service, public schools, public health, maintenance of poor, and such new construc-

tion of drains and sewers as the town may vote to build, and repair of town sewers. All the authority and duties of the selectmen or road commissioner within said corporation shall be exercised by said assessors; or they may appoint an agent to perform the duties of road commissioner.'

**'Sec. 5. Corporate affairs, how managed; rights and powers of officers.** Said corporation and the overseers thereof, unless its doings are repugnant to the laws of this state, or to its charter shall have the same powers and duties in the management of its corporate affairs that towns and selectmen thereof now have, to be exercised and performed under the same conditions, limitations and liabilities, and in the same manner that they are now exercised and performed by towns and their selectmen, including therein its mode of calling and manner of conducting its corporation meeting and election of officers; the statute rights to make by-laws and ordinances; the right of eminent domain; the statute powers to lay out and alter streets and ways within its territory; the statute powers to issue licenses to run places for public exhibitions and amusement; the right to determine in what manner and upon what terms abutters upon the lines of its sewers and drains may enter or must enter and connect with it, and may establish rules and regulations and a schedule of rates which may be collected at regular periods; and all other rights, privileges, duties and obligations not incompatible herewith.'

**'Sec. 6. May issue bonds; may negotiate temporary loan.** Said corporation at any legal meeting called for that purpose, may by vote of not less than three-fourths of all voters present, vote to issue its bonds or notes to obtain money to carry out each, any or all of the objects and purposes set forth in sections two and three of this act as now amended. Said bonds or notes shall be signed by the assessor and treasurer, and shall be on such time and bear such rate of interest as the corporation may deem expedient, subject however to the limitations to towns under the constitution of Maine limiting municipal indebtedness. And in addition to the above powers of raising money said corporation may, by a majority vote of the voters present, from time to time borrow money as a temporary loan in anticipation of the receipt of its money from the town of York under section four as now amended.'

**'Sec. 7. Officers, how chosen, qualification, tenure, compensation, etc.; by-laws.** The officers of said corporation shall be a clerk, treasurer, three assessors, three fire wardens, and such officers as the by-laws of said corporation may require. Each officer shall be a resident and reside during his term of office within the limits of said corporation. The clerk, treasurer and assessors shall be chosen by ballot at the annual meeting of said corporation, or at a special meeting called for the purpose, and said other officers of said corporation shall be residents within the limits of said corporation, as aforesaid, and shall be selected by ballot, or other method agreed upon by a vote of the corporation. Said clerk, treasurer, and assessors shall hold office for one year, or until the next annual meeting, and thereafter until their successors are chosen and qualified, and shall severally have all the powers and authority within the limits of said corporation that similar officers

**CHAP. 129**

chosen by towns now, or may have. The assessors may appoint and remove police officers and such other officers as the by-laws allow, and whose selection is not otherwise provided for herein.

Said corporation at any legal meeting may adopt a code of by-laws not repugnant to the laws of the state, nor its charter, for the efficient management of its affairs. All officers aforesaid shall be sworn before the clerk or a justice of the peace for the faithful performance of their duties. The treasurer shall give bond with such sureties as the assessors of the corporation may approve in a sum not less than double the amount of money paid to said corporation by said town as set forth in section four of this act, to the inhabitants of the corporation for the faithful performance of his duties, and said bond shall be approved in writing by the assessors and thereafterwards deposited with and retained by the clerk of the corporation. The compensation of all officers herein provided for shall be fixed by vote of the corporation.'

**'Sec. 11. Eligibility of officers.** Any person having his legal residence within the territory aforesaid, qualified to vote for governor, senators and representatives, may be elected or appointed to any office in said corporation, but shall cease to hold said office whenever he ceases to be such legal voter.'

**'Sec. 12. Voters, how determined; check list to be used if demanded.** Every person having his legal residence within the territory aforesaid, qualified to vote for governor, senator and representatives, shall be a legal voter at any meeting of the corporation, and shall also be qualified to vote upon the acceptance of this charter and the amendments thereof, also every person, male or female, of lawful age, who owns and possesses real estate within the limits of said corporation, and has owned and possessed the same for at least six months prior to any election or meeting of said corporation, whether resident or non-resident owner of real estate, shall be a legal voter at any meeting of the corporation and shall be qualified to vote upon the acceptance of the charter and upon the amendments thereof, if they are present. The assessors of the corporation shall determine who are legal voters at any meeting and shall prepare a list of said voters at least twenty-four hours before every meeting, which said list they may amend or correct at any time before said meeting or during its progress. The vote for the election of officers of the corporation and upon any proposition at any meeting shall be taken and checked by this list upon the demand of five legal voters.'

**'Sec. 13. Amended charter subject to approval of voters; how and when meeting shall be called and how conducted.** This charter as now amended and enlarged, may be accepted at any time within two years from its approval by the governor, except that not more than two meetings for such acceptance shall be held in any one calendar year, and the first meeting for that purpose shall be held on the second Monday in September, nineteen hundred seventeen, Frank E. Parsons, Frank H. Ellis, J. Byron Paul and Charles L. Worthen, or any one of them, are hereby authorized to call any meeting of said corporation to act on the acceptance of this charter and to notify all persons qualified to vote at said meeting to assemble at some suit-



able time and place within the limits of said corporation, by posting up notices thereof in two public and conspicuous places within said limits seven days at least before the time of said meeting; and any one of said persons above named is authorized to preside at said meeting until after its organization and until after a clerk and moderator of the meeting shall have been chosen by ballot and sworn. At all meetings of said corporation a moderator shall be chosen in the manner and with the same powers as in town meetings.'

**'Sec. 14. Subsequent meetings, how called; special meetings; date of annual meeting..** Said assessors shall call all subsequent meetings of the corporation by posting up notices thereof, in two public and conspicuous places within the limits of said corporation, signed by them and stating the time and place of each meeting, seven days at least before the time appointed for the meeting. All notices shall state in distinct article the business to be acted upon at the meeting, and no other business shall be then and there acted upon. When ten or more voters in writing request the assessors to insert a particular article in any notice they shall insert it in their next notice issued, or shall call a special meeting for the consideration thereof to be held within thirty days after the filing of said written request. The annual meeting for the election of officers, excepting perhaps the first meeting for the election of officers, shall be held on the second Monday of September in each year. In case the assessors unreasonably neglect or refuse to call a meeting, any justice of the peace may call a meeting of the corporation on petition of ten legal voters, by posting up notices in the manner herein provided.'

**'Sec. 16. Inconsistent provisions repealed upon acceptance of act; terms of former officials terminated.** This act and amended charter when accepted by a majority of the voters of said corporation as aforesaid, then shall take and have complete effect in all its parts; and all parts of the original charter and act of chapter four hundred and fifty-five of the private and special laws of nineteen hundred and one, entitled "An Act to Incorporate the York Beach Village Corporation," amended by chapter three hundred and five of the private and special laws of nineteen hundred and five, inconsistent with and repugnant to this charter as now amended, are hereby repealed; and the term of office of all elective and appointed officers of the York Beach Village Corporation now holding office under the provisions of said chapter four hundred and fifty-five of the private and special laws of nineteen hundred and one, shall end, expire and terminate when this amended charter is accepted, as aforesaid, and the several officers of the corporation are elected, as provided by the provisions of this amended charter. Whenever sum or sums of money may be appropriated by the town of York and may have been used and expended within the limits of said corporation for town purposes outside of and in other than those specially imposed upon said town by section four of this act, and whatever sum or sums of money the town of York may have paid over to said corporation during the year in which this amended charter is accepted, and before it is accepted shall be deducted from the amount payable to said corporation for said year in which this charter is accepted as provided in section four of this charter, so that said

**CHAP. 130**

corporation the year its charter is accepted shall receive the total amount payable to it in money, as provided in said section four, or part thereof in services already performed and expenditures already made and the balance thereof in money, as the case may be.'

Approved March 29, 1917.

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## **Chapter 130.**

**An Act to Grant Certain Powers to Acadia Landing.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Incorporation validated.** The incorporation of Acadia Landing, organized under the general law, September twenty-third, eighteen hundred eighty-nine, is hereby ratified and confirmed.

**Sec. 2. Purposes may be amended; proviso.** The stockholders of said Acadia Landing are hereby authorized by vote, at a meeting called for the purpose, to alter and amend the purposes of the corporation so as to permit any person unanimously approved by the directors of the corporation to become a member of and stockholder therein, and to acquire and hold not exceeding six shares of said stock, provided that a certificate showing such amended purposes shall be approved by the attorney general and recorded, as provided by law in the case of original certificates of organization.

Approved March 29, 1917.

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## **Chapter 131.**

**An Act Authorizing the Maintenance of a Bridge between Mill and Storehouse, by Worumbo Manufacturing Company, Lisbon Falls, Maine.**

*Be it enacted by the People of the State of Maine, as follows:*

**Location of bridge and specifications.** That the Worumbo Manufacturing Company, its successors and assigns, is authorized to maintain a bridge of steel and iron from its mill proper, located at Lisbon Falls, in Lisbon, Maine, over and across Canal street to its storehouse or storehouses located northerly and across said Canal street from said mill; said bridge to be not more than nine feet in width and to have a clearance of not less than sixteen feet above the surface of said Canal street, with piers wholly outside the bounds of said street; and to be located approximately one hundred sixty-five feet easterly of the easterly side of the bridge connecting Main street, so-called, with the mill proper.

Approved March 29, 1917.

## Chapter 132.

An Act to Amend Section Twelve of Chapter Forty-three of the Private and Special Laws, Eighteen Hundred and Ninety-nine, Entitled "An Act to Establish the Rumford Falls Municipal Court."

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1899, c. 43, § 12, amended.** The word "one" in the fifth line of section twelve of chapter forty-three of the private and special laws of eighteen hundred ninety-nine is hereby stricken out and the word 'two' is substituted, so that said section as amended shall read as follows:

**'Sec. 12. Prevailing plaintiff to be allowed two dollars instead of one for writ.** Costs and fees allowed to parties and attorneys in all actions before said court, in which the debt or damages recovered does not exceed twenty dollars, shall be the same as are allowed in actions before trial justices, except that the plaintiff if he prevail shall be allowed two dollars for his writ, and the defendant if he prevail one dollar for his pleadings; but in cases where the damages do exceed twenty dollars, the fees and costs shall be the same as in the supreme judicial court.'

Approved March 29, 1917.

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## Chapter 133.

An Act to Enable the Register of Deeds of Cumberland County to Procure Durable Copies of Plans Recorded in Cumberland County Registry.

*Be it enacted by the People of the State of Maine, as follows:*

**Register to certify to correctness of copies; expense not to exceed \$2,500.** The register of deeds for the county of Cumberland is hereby authorized and empowered to cause to be made, durable copies of the plans, including any and all blueprints, recorded in the Cumberland county registry of deeds. The copies shall be upon such scale and in such form as will comply with the requirements of section sixteen of chapter twelve of the revised statutes. The said register may also procure and record a copy of Day's plan of South Portland in said county, made by I. C. Sours in eighteen hundred sixty-three. The said register of deeds shall compare carefully, the copies authorized hereby with the plans now recorded in said registry and shall certify on each copy the fact of such comparison and such certified copies shall stand for, and in place of the plans and blueprints now recorded. It shall be the duty of the said register and his successors, to preserve in said registry, the said original plans now recorded and to exhibit the same to persons interested. The treasurer of Cumberland county is hereby authorized and directed to pay a sum not exceeding two thousand five hundred dollars for the purpose of carrying out the requirements of this act, upon itemized vouchers submitted and signed by said register.

Approved March 29, 1917.

## Chapter 134.

An Act to Change the Name of the Unitarian Church of Augusta, Maine.

**Name changed to All Souls.** The name of the Unitarian Church of Augusta, Maine, is hereby changed to All Souls Church (Unitarian) of Augusta, Maine.

Approved March 29, 1917.

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## Chapter 135.

An Act to Establish the Mount Desert Bridge District, for the Purpose of Acquiring, Freeing and Reconstructing the Mount Desert Toll Bridge in the Town of Trenton in Hancock County.

**Emergency preamble.** Whereas the Mount Desert Toll Bridge which this act contemplates making a free bridge, is the only means of access by land to the large and populous island of Mount Desert, and

Whereas said bridge is in a dilapidated, weak and unsafe condition and wholly inadequate to accommodate the large summer traffic, and from reasons both of public safety and convenience the work of reconstruction should be begun forthwith, and

Whereas by reason of the foregoing facts an emergency exists such as is contemplated by the constitution, and the passage of this act is immediately necessary for the preservation of the public peace, health and safety; now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Mount Desert Bridge District created.** The towns of Eden, Mount Desert, Southwest Harbor, Tremont and Trenton, in the county of Hancock, and the people within the same, shall constitute a public municipal corporation under the name of the Mount Desert Bridge District, for the purpose of acquiring the toll bridge, approaches and toll house, together with all franchises belonging to the same, owned by the Mount Desert Toll Bridge Co. extending across the Narrows, so-called, from the main land to Thompson's Island, all in the town of Trenton, or for the construction of a bridge in a new location across said Narrows.

**Sec. 2. Authorized to purchase existing bridge.** Said bridge district is hereby empowered, if the trustees hereinafter provided for deem best, to purchase said existing bridge, and pay therefor a sum not exceeding five thousand dollars.

**Sec. 3. Right of eminent domain.** Said Mount Desert Bridge District shall have the right of eminent domain to take all land necessary for laying out a location for a new bridge, approaches and buildings for tools, draw

tender and any other buildings necessary for use of said district, should the construction of a new bridge be deemed more expedient than the acquisition of the now existing bridge.

**Sec. 4. Management.** All affairs of said bridge district shall be managed by a board of trustees composed of ten members, five chosen by Eden, two by Mount Desert, one by Southwest Harbor, one by Tremont and one by Trenton; said trustees may choose a treasurer, clerk and such other officers and agents as they deem necessary for the proper management of the affairs of the district, and may establish a code of by-laws and all necessary rules and regulations for the proper conduct of the affairs of said district.

**Sec. 5. Authorization for transfer of property of Mount Desert Bridge Company.** Said bridge district is hereby authorized and empowered to acquire by purchase or by the exercise of the right of eminent domain, which right is hereby expressly delegated to said bridge district for said purpose, the toll bridge approaches and toll house, together with all franchises belonging to the same, owned by the Mount Desert Bridge company extending across the Narrows, so-called, from the mainland to Thompson's Island in the town of Trenton. Said Mount Desert Bridge company is hereby authorized to sell and transfer all its franchises and property to said Mount Desert Bridge District.

**Sec. 6. May issue bonds and notes.** For accomplishing the purposes of this act said bridge district, through its trustees, is authorized to borrow money temporarily and issue therefor the interest bearing negotiable notes of the district and for the purpose of refunding or paying said indebtedness, may from time to time issue negotiable bonds of the district to an amount necessary in the judgment of the trustees therefor; said negotiable notes and bonds shall be legal obligations of the bridge district which is hereby declared a quasi-municipal corporation within the meaning of the revised statutes.

**Sec. 7. Exemption from taxation.** The property of said district shall be exempt from all taxation in the town or towns where said bridge district is located.

**Sec. 8. No tolls to be charged.** Said bridge shall be a free bridge.

**Sec. 9. Powers and privileges.** All incidental powers, rights and privileges necessary to the accomplishment of the main object herein set forth are granted to the public municipal corporation hereby created.

**Sec. 10. Interest and sinking fund, how apportioned and collected; seven trustees may act.** Seven or more of said trustees shall have full power to act notwithstanding any vacancy in the board caused by failure of any town to choose a member thereof, or however otherwise caused. In each year the trustees shall determine the amount required for interest and sinking fund and shall apportion said amount among the towns in the district in accordance with their respective valuations as fixed by the board of state assessors. On or before April first in each year the trustees shall certify the sum apportioned to each of said towns to the assessors thereof. It

**CHAP. 136**

shall be the duty of the assessors to include said sum in their commitment and each town shall be liable to pay to said trustees its said proportion on or before August first.

**Section 11. Maintenance of bridge.** The bridge shall be maintained as provided under chapter seventy-two of the private and special laws of nineteen hundred fifteen and in the same manner as though said bridge district had not been formed.

**Sec. 12. P. L., 1915, c. 319; applicable.** Chapter three hundred and nineteen of the public laws of nineteen hundred fifteen known as the "Bridge Law," shall apply to said bridge district in the same manner as it does to a town or city and said bridge district shall furnish fifty per cent. of the cost of construction, the county thirty per cent. and the state twenty per cent.

**Sec. 13. Composition of board provided for by P. L., 1915, c. 319, § 2.** The board provided by section two of said chapter three hundred nineteen shall consist of said trustees together with the county commissioners for said county of Hancock, and the state highway commission.

**Sec. 14. Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved March 29, 1917.

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## Chapter 136.

An Act to Repeal Chapter One Hundred One of the Private and Special Laws of Nineteen Hundred Eleven, Relating to the Phillips Village Corporation.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1911, c. 101, repealed.** Chapter one hundred one of the private and special laws of nineteen hundred and eleven, relating to the Phillips Village Corporation is hereby repealed.

Approved March 30, 1917.

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## Chapter 137.

An Act to Incorporate the Musquacook Stream Dam and Improvement Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Name and corporators.** George M. Stearns, F. W. Hill, Haven Sawyer, H. B. Buck, Everett E. Amey, George G. Weeks and Gilbert Oakley, their associates and assigns, are hereby incorporated under the name of the Musquacook Stream Dam and Improvement Company, with all the powers and privileges of similar corporations.

**Sec. 2. Purposes; adjustment of damages.** Said corporation is authorized to build dams, side dams, remove rocks and make all other necessary

## CHAP. 187

improvements in Musquacook stream to facilitate the driving of logs and lumber down the same, and for this purpose said corporation may take land and materials necessary to build such dams and make such improvements; and may flow contiguous lands so far as necessary to raise suitable heads of water. And if the parties cannot agree upon the damages, the corporation shall pay the proprietors of the land and materials so taken such damage as shall be ascertained and determined by the county commissioners for the county of Aroostook, in the same manner and under the same conditions and limitations as are by law provided in the case of damages by laying out public highways. And for the damage occasioned by flowing land, the said corporation shall not be liable in an action at common law, but persons injured may have a remedy by a complaint for flowing, in which the same proceedings shall be had as when a complaint is made under a statute of this state for flowing lands, occasioned by raising a head of water for the working of mills.

**Sec. 3. Reservation by state.** The state of Maine reserves the right to take over by proper legislation, the property, rights and franchises of said company upon the payment of just compensation to the owners thereof, but such compensation shall not include the value of the franchises hereby granted.

**Sec. 4. Tolls.** Said corporation may demand and receive a toll for the passage of logs and lumber over or through their said dams and improvements as follows: For all logs, pulpwood and ties landed on said stream below the south line of Township thirteen, Range eleven, and driven out of said stream after June first of each year, fifteen cents per thousand feet for logs, seven and one-half cents per cord for pulpwood and fifteen cents per thousand feet for ties, reckoning fifty to a thousand feet, if not scaled. And for all logs, pulpwood and ties landed and driven in said stream above the south line of Township thirteen, Range eleven, twenty-five cents per thousand feet for logs, twelve and one-half cents per cord for pulpwood and twenty-five cents per thousand feet for ties, reckoning fifty ties to a thousand feet, if not scaled. And said corporation shall have a lien upon all logs and lumber which may pass over its dams and improvements for the payments of said tolls; but the logs of each particular mark shall be holden only for the tolls of such mark, and unless such toll is paid within twenty days after such logs or lumber, or a major part of the same, shall arrive at the place of manufacture or destination, said corporation may seize said logs and lumber and sell at public auction so many and so much thereof as shall be necessary to pay such tolls, costs and charges thereof, after ten days notice in writing of the time and place of said sale given to the owner of such logs or lumber, or his agent.

**Sec. 5. Cessation of tolls.** When said corporation shall receive from tolls its outlay on all dams and improvements and for repairs made up to that time, with six per cent. interest thereon, then the tolls herein provided shall be reduced to a sum sufficient to keep said dams and improvements in repair. Said corporation shall keep correct and full account of all its receipts and expenditures, and shall submit the same at any time for examination to any person, firm or corporation liable to pay tolls under this act.

## CHAP. 188

**Sec. 6. Dams not to be used for power purposes.** No dam built by said corporation under this act shall be used for power purposes.

**Sec. 7. Capital stock; management of business affairs.** The capital stock of said corporation may be fixed by it from time to time, but not to exceed fifty thousand dollars, to be divided into shares of such par value as it may determine. The corporation may, by its by-laws, provide for all its officers and for the management of its internal affairs in the same manner as corporations organized under the general laws of the state.

**Sec. 8. First meeting, how called.** The first meeting of said corporation shall be called by a notice signed by one of the incorporators named in section one, mailed to each of the other incorporators at least seven days before the day of such meeting.

Approved March 30, 1917.

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## Chapter 138.

**An Act Authorizing the City of Augusta to Raise Money by Taxation to Assist Capital Park in Maintaining Grounds and Conveniences for Public Amusements.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Appropriation of \$10,000 authorized.** The city of Augusta is hereby authorized to raise money by taxation, not exceeding ten thousand dollars and invest the same in such amounts as the city council of said city may determine in the capital stock of Capital Park, a corporation organized under the general law, the certificate of which was filed in the office of the secretary of state on the sixth day of March, nineteen hundred and seventeen.

**Sec. 2. Board of directors.** Upon the purchase of not less than a majority in amount of the authorized capital stock of Capital Park, the board of directors of said corporation shall consist of not more than three members of which the mayor of said city for the time being shall be and become ex-officio a member together with such other person as the city government may elect.

**Sec. 3. Voting power.** At all meetings of the stockholders of said corporation the mayor, or in his stead the chairman of the board of alderman of said city of Augusta, or some other person thereunto duly authorized, shall vote all stock in said corporation held by the city of Augusta.

**Sec. 4. Purchase of title of land owned by Capital Park Association authorized; purposes for which land may be used.** Whenever the city of Augusta shall have acquired by purchase at par a majority of the authorized capital stock of said company the proceeds thereof shall be used by said company for the purchase of the title to the land now owned by the Capital Park Association and for no other purpose, and when so purchased said land and appurtenances shall forever be dedicated to public use as a park for the purpose of being used for holding agricultural fairs, horse trots,



base-ball games and any and all lawful public exhibitions, entertainments and amusements, and said corporation is hereby authorized to inclose said grounds and permit its lessees to charge and collect admission fees for any exhibitions or entertainments conducted therein, provided however, that said corporation shall not promote, conduct or carry on such fairs, horse trots, base-ball games or any other public exhibitions, entertainments, or amusements whatsoever, nor incur any liability in connection therewith other than the maintenance of the park for such purposes, but may lease said park for specific exhibitions or amusements in whole or in part, not exceeding six months in any one contract.

**Sec. 5. May sell earth and gravel to city of Augusta.** After the title to the land of the Capital Park Association shall have been acquired by Capital Park, the stock of which said city of Augusta is authorized to purchase, said Capital Park may sell earth, gravel or other materials, to be removed from said premises, in such amounts as the board of directors may determine or may sell in gross such earth, gravel and materials to the city of Augusta by contract, which shall specify the area and depth to which such materials are to be removed.

**Sec. 6. Act to be referred to voters; form of question.** This act shall take effect only when accepted as hereinafter provided by a majority of the electors of said city, qualified to vote and voting at an election to be held on the second Monday of September, nineteen hundred and seventeen, at which election this act shall be submitted to be voted upon by the qualified electors of said city. Said election shall be called, advertised and conducted according to the law relating to general elections in said city. The ballots to be used in said election shall be in form as follows:

"Shall the act of the legislature authorizing the city of Augusta to raise money by taxation to assist Capital Park in maintaining grounds and conveniences for public amusements be accepted?"

Opposite and to the right of said question shall be printed the words "Yes" and "No" with the usual squares in which the voter is to mark in the manner required by law to express his opinion. Other brief and suitable explanation of the subject matter submitted may be printed on the ballot which in other respects shall conform to all the requirements of law. If a majority of the voters voting at said election shall have voted "Yes" this act shall have been deemed to have been accepted and shall thereupon be in full force and effect. The result of said election shall be declared by the mayor and aldermen and due certificate thereof filed with the city clerk and with the secretary of state. A printed copy of the full text of this act shall be posted in each voting place in said city during said election.

Approved March 30, 1917.

## Chapter 139.

An Act Confirming the Official Acts of the Officers of the Plantation of Chapman, Acting as Officers of the Town of Chapman, and the Proceedings of the Special Town Meeting of the Inhabitants of the Town of Chapman held December Twenty-seventh, One Thousand Nine Hundred and Fifteen.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Official acts of plantation officers acting for town validated.** The official acts of the officers of the plantation of Chapman elected at the annual meeting of the inhabitants of the plantation of Chapman held March fifteen, one thousand nine hundred and fifteen, acting as officers of the plantation of Chapman and of the town of Chapman from March fifteen, one thousand nine hundred and fifteen, to December twenty-seven, one thousand nine hundred and fifteen, each date inclusive, are hereby ratified and confirmed with the same legal force and effect as if made by the officers of the plantation of Chapman and the officers of the town of Chapman duly elected and qualified.

**Sec. 2. Proceedings of special town meeting of Dec. 27th, 1915, ratified.** All of the proceedings of the special town meeting of the inhabitants of the town of Chapman held December twenty-seven, one thousand nine hundred and fifteen, for the purpose of electing town officers for the year then current are hereby ratified, confirmed and made valid.

Approved March 30, 1917.

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## Chapter 140.

An Act Authorizing the Municipal Officers of the Town of Machias to Close a Bridge over Tide-water.

*Be it enacted by the People of the State of Maine, as follows:*

**Bridge abolished.** Authority is hereby granted the municipal officers of the town of Machias to abolish a bridge over tide-water in said town leading to the old Shaw ship-yard, so called; said bridge being located on Court street, just west of the Maine Central station and yard.

Approved March 30, 1917.

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## Chapter 141.

An Act to Provide a New Building for the Augusta State Hospital.

**Emergency preamble.** Whereas one building at the Augusta State Hospital was destroyed by fire on the evening of March twenty-second, A. D. nineteen hundred seventeen, leaving many of the patients without suitable protection and,

Whereas, the proper care of the insane and feeble-minded in this state requires that a new building be constructed at the Augusta State Hospital without delay and,

Whereas, in the opinion of the legislature the immediate construction of a new building at the Augusta State Hospital is necessary for the preserva-

tion of the public health and safety of the State of Maine, the need therefor constitutes an emergency within the meaning of the provisions of the constitution of this state;

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. \$60,000 appropriated for new building.** The sum of sixty thousand dollars is hereby appropriated for the construction of a new building at the Augusta State Hospital to replace the building burned on the evening of March twenty-second, A. D. nineteen hundred seventeen.

**Sec. 2. Expenditure of above amount.** The said sum of sixty thousand dollars shall be spent under the direction of the hospital trustees with the consent of the governor and council.

**Sec. 3. Construction to begin immediately; formalities waived and inconsistent statutes repealed.** Immediately after the approval of this act by the governor it shall be the duty of the hospital trustees to start the construction of the building herein authorized and provided for. Said trustees are hereby authorized with the approval of the governor and council to waive all formality relating to the designing, contracting, and constructing of said building which would delay the starting immediately on the actual physical construction of the building herein provided for. All statutes and parts of statutes inconsistent herewith are hereby repealed.

**Sec. 4. Emergency Clause.** This act, two-thirds of all the members elected to each house so directing, shall take effect when approved by the governor.

Approved March 30, 1917.

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## Chapter 142.

An Act to Incorporate the Smyrna and Oakfield Water Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators, name and purposes.** Elijah M. Chase, Ada G. Chase and Walter Estes, their associates and successors, are hereby made a corporation by the name of the Smyrna and Oakfield Water Company, for the purpose of supplying the inhabitants of the towns of Smyrna, Oakfield and Merrill, with pure water for domestic, sanitary, municipal and commercial purposes, including the extinguishment of fire, and such corporation shall possess all the powers, privileges and be subject to all the liabilities and obligations imposed upon corporations by law except as herein otherwise provided.

**Sec. 2. Source of supply; territory covered.** For any of the purposes aforesaid, the said corporation is hereby authorized to take and use water from the springs of water in lands owned by Fritz Soule in the town of Merrill, in the county of Aroostook, or from any spring, pond, brook or other waters in the towns of Smyrna, Oakfield and Merrill, in said county

**CHAP. 142**

of Aroostook, to conduct and distribute the same into and through the said towns of Smyrna, Oakfield and Merrill, and to survey for, locate, construct and maintain all suitable and convenient dams, reservoirs, sluices, hydrants, buildings, machinery, lines of pipe, aqueducts and appurtenances.

**Sec. 3. Construction of necessary works.** The said corporation is hereby authorized to lay, construct, and maintain its lines of pipe in the towns of Smyrna, Oakfield and Merrill and to build and maintain all necessary structures therefor at such places as shall be necessary for the purposes of said corporation, and to cross any water course, private or public sewer or to change the direction thereof, when necessary for their said purposes of incorporation, but in such manner as not to obstruct or impair the use thereof, and the said corporation shall be liable for any injury caused thereby.

**Sec. 4. Pipes, etc. may be laid and maintained along highways, etc.; responsibility for damages.** The said corporation is hereby authorized to lay, construct and maintain in, under, through, along, over and across the highways, ways, streets, railroads and bridges, in said towns, and to take up, replace and to repair all such aqueducts, sluices, pipes, hydrants and other structures and fixtures as may be necessary and convenient for any of the said purposes of the said corporation, under such reasonable restrictions and conditions as the selectmen of the said towns may impose and the said corporation shall be responsible for all damages to said towns, and to all corporations, persons, and property, occasioned by such use of the highways, ways and streets. Whenever said corporation shall lay down, or construct, any pipes or fixtures in any highway, way or street, or make any alterations thereof, or repairs upon its works, in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practical, and shall at its own expense without any unnecessary delay, cause the earth and pavement then removed by it, to be replaced in proper condition.

**Sec. 5. May take and hold necessary lands; plans to be filed in registry of deeds and public notice given.** The said corporation is hereby authorized to take and hold by purchase or otherwise, any land necessary for flowage, and also for its dams, reservoirs, gates, hydrants, buildings and other necessary structures, and may locate, erect, lay and maintain aqueducts, hydrants, lines of pipe and other necessary structures or fixtures, in, over and through any land for the said purposes, and excavate in and through such lands for said location, construction or erection, and in general, do any act necessary, convenient or proper, for carrying out any of the said purposes of incorporation. It may enter such lands and make surveys and locations, and shall file in the registry of deeds in the county of Aroostook, plans of such locations and lands, showing the property taken, within thirty days thereafter and publish notices of such filing in some newspaper, in said county, said publication to be continued three weeks successively.

**Sec. 6. Adjustment of damages; bond may be required.** Should the said corporation and owner of such land be unable to agree upon the damages to be paid for such location taken, holding, flowing and construction, such damages shall be assessed in accordance with the law applicable to the as-

**CHAP. 142**

assessment of damages for ways taken by railroads. If said corporation shall not pay such land owner, or deposit for his use with the clerk of the county commissioners aforesaid, such sum as may be finally awarded as damages, with costs when recovered by him, within ninety days after notice, or final judgment shall been received by the clerk of courts of said county, the said location shall be thereby invalid and the corporation shall forfeit all rights under the same, as against such land owners. In case the said corporation shall begin to occupy such land before the rendition to final judgment the land owner may require the said corporation to file its bond to him with the county commissioners, in such sum and with such sureties as they may approve, conditioned for said judgment or deposits. No action shall be brought against the said corporation for such taking, holding and occupation until after such failure to pay or deposit as aforesaid.

**Sec. 7. Damages occasioned by taking of water by corporation.** Any person suffering damage by the taking of water by said company as provided by this act, may have his damages assessed provided in the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment.

**Sec. 8. In case of disagreement with railroad company location to be determined by public utilities commission.** In case of failure to agree with any railroad company as to place, manner and condition of crossing its railroad with such pipe, the place, manner and condition of such crossings shall be determined by the public utilities commission, and all works within the limits of the railroad location and lands shall be done under the supervision and to the satisfaction of the officers and agents of the railroad company, but at the expense of said water company.

**Sec. 9. May make contracts with towns, village corporations and individuals; taxes may be abated..** The said corporation is hereby authorized to make contracts with the towns of Smyrna, Oakfield and Merrill, and with any village corporation in said towns, and with the inhabitants thereof, or any corporation doing business therein, for the supply of water for any and all the purposes contemplated in this act; and the said towns and any village corporation in the said town by their proper officers are hereby authorized to enter into any contract with the said corporation for its supply of water for any and all purposes mentioned in this act, and in consideration thereof to relieve said corporation from such public burdens by abatement or otherwise as said town, village corporation, and the said corporation may agree upon, which, when made, shall be legal, and binding upon all parties thereto.

**Sec. 10. Penalty for pollution of supply or injury to works.** Whoever shall knowingly or maliciously corrupt the water supply of the said corporation, whether frozen or not, or in any way render such water impure, or whoever shall wilfully, or maliciously injure any of the works of said corporation, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

**CHAP. 142**

of Aroostook, to conduct and distribute the same into and through the said towns of Smyrna, Oakfield and Merrill, and to survey for, locate, construct and maintain all suitable and convenient dams, reservoirs, sluices, hydrants, buildings, machinery, lines of pipe, aqueducts and appurtenances.

**Sec. 3. Construction of necessary works.** The said corporation is hereby authorized to lay, construct, and maintain its lines of pipe in the towns of Smyrna, Oakfield and Merrill and to build and maintain all necessary structures therefor at such places as shall be necessary for the purposes of said corporation, and to cross any water course, private or public sewer or to change the direction thereof, when necessary for their said purposes of incorporation, but in such manner as not to obstruct or impair the use thereof, and the said corporation shall be liable for any injury caused thereby.

**Sec. 4. Pipes, etc. may be laid and maintained along highways, etc.; responsibility for damages.** The said corporation is hereby authorized to lay, construct and maintain in, under, through, along, over and across the highways, ways, streets, railroads and bridges, in said towns, and to take up, replace and to repair all such aqueducts, sluices, pipes, hydrants and other structures and fixtures as may be necessary and convenient for any of the said purposes of the said corporation, under such reasonable restrictions and conditions as the selectmen of the said towns may impose and the said corporation shall be responsible for all damages to said towns, and to all corporations, persons, and property, occasioned by such use of the highways, ways and streets. Whenever said corporation shall lay down, or construct, any pipes or fixtures in any highway, way or street, or make any alterations thereof, or repairs upon its works, in any highway, way or street, it shall cause the same to be done with as little obstruction to public travel as may be practical, and shall at its own expense without any unnecessary delay, cause the earth and pavement then removed by it, to be replaced in proper condition.

**Sec. 5. May take and hold necessary lands; plans to be filed in registry of deeds and public notice given.** The said corporation is hereby authorized to take and hold by purchase or otherwise, any land necessary for flowage, and also for its dams, reservoirs, gates, hydrants, buildings and other necessary structures, and may locate, erect, lay and maintain aqueducts, hydrants, lines of pipe and other necessary structures or fixtures, in, over and through any land for the said purposes, and excavate in and through such lands for said location, construction or erection, and in general, do any act necessary, convenient or proper, for carrying out any of the said purposes of incorporation. It may enter such lands and make surveys and locations, and shall file in the registry of deeds in the county of Aroostook, plans of such locations and lands, showing the property taken, within thirty days thereafter and publish notices of such filing in some newspaper, in said county, said publication to be continued three weeks successively.

**Sec. 6. Adjustment of damages; bond may be required.** Should the said corporation and owner of such land be unable to agree upon the damages to be paid for such location taken, holding, flowing and construction, such damages shall be assessed in accordance with the law applicable to the as-

assessment of damages for ways taken by railroads. If said corporation shall not pay such land owner, or deposit for his use with the clerk of the county commissioners aforesaid, such sum as may be finally awarded as damages, with costs when recovered by him, within ninety days after notice, or final judgment shall been received by the clerk of courts of said county, the said location shall be thereby invalid and the corporation shall forfeit all rights under the same, as against such land owners. In case the said corporation shall begin to occupy such land before the rendition to final judgment the land owner may require the said corporation to file its bond to him with the county commissioners, in such sum and with such sureties as they may approve, conditioned for said judgment or deposits. No action shall be brought against the said corporation for such taking, holding and occupation until after such failure to pay or deposit as aforesaid.

**Sec. 7. Damages occasioned by taking of water by corporation.** Any person suffering damage by the taking of water by said company as provided by this act, may have his damages assessed provided in the preceding section, and payment therefor shall be made in the same manner and with the same effect. No action shall be brought for the same until after the expiration of the time of payment.

**Sec. 8. In case of disagreement with railroad company location to be determined by public utilities commission.** In case of failure to agree with any railroad company as to place, manner and condition of crossing its railroad with such pipe, the place, manner and condition of such crossings shall be determined by the public utilities commission, and all works within the limits of the railroad location and lands shall be done under the supervision and to the satisfaction of the officers and agents of the railroad company, but at the expense of said water company.

**Sec. 9. May make contracts with towns, village corporations and individuals; taxes may be abated.** The said corporation is hereby authorized to make contracts with the towns of Smyrna, Oakfield and Merrill, and with any village corporation in said towns, and with the inhabitants thereof, or any corporation doing business therein, for the supply of water for any and all the purposes contemplated in this act; and the said towns and any village corporation in the said town by their proper officers are hereby authorized to enter into any contract with the said corporation for its supply of water for any and all purposes mentioned in this act, and in consideration thereof to relieve said corporation from such public burdens by abatement or otherwise as said town, village corporation, and the said corporation may agree upon, which, when made, shall be legal, and binding upon all parties thereto.

**Sec. 10. Penalty for pollution of supply or injury to works.** Whoever shall knowingly or maliciously corrupt the water supply of the said corporation, whether frozen or not, or in any way render such water impure, or whoever shall wilfully, or maliciously injure any of the works of said corporation, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, and shall be liable to said corporation for three times the actual damage, to be recovered in any proper action.

**CHAP. 143**

**Sec. 11. Capital stock.** The capital stock of the said corporation shall be fifty thousand dollars and said stock shall be divided into shares of twenty-five dollars each.

**Sec. 12. Real and personal estate, limited.** The said corporation, for all of its said purposes, may hold real and personal estate necessary and convenient therefor, not exceeding fifty thousand dollars.

**Sec. 13.—May issue bonds.** The said corporation may issue its bonds, for the construction of its works, of any and all kinds upon such rates and time as it may be expedient, to the amount not exceeding its capital stock, and to secure the same by mortgage of its franchise and property.

**Sec. 14. First meeting, how called.** The first meeting of said corporation may be called by written notice therefor, signed by two of the incorporators herein named, served upon each of the incorporators by giving him the same in hand or by leaving the same at his last and usual place of abode, seven days at least before said meeting.

**Sec. 15. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved March 31, 1917.

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## **Chapter 143.**

**An Act to Amend the Charter of the City of Augusta, Relative to Police.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1915, c. 205, s. 4, amended.** Section four of chapter two hundred and five of the private laws of nineteen hundred and fifteen hereby is amended so as to read as follows:

**‘Sec. 4. Organization of police department, tenure of office, eligibility, etc.; board of police examiners created; appointment, duties, tenure, removal of police officers, proceedings. Status of present police force unaffected.** The mayor shall appoint all city officers except those that are required by law to be elected by the qualified electors of said city or of the several wards in said city. The appointments shall be made and take effect as soon as convenient after the beginning of the mayor’s term of office, and the officers appointed shall hold their offices during the term for which the mayor was elected; except that the commissioner of streets and the overseer of the poor shall be appointed triennially to hold office for the term of three years, and one assessor shall be appointed each year to hold office for the term of three years. Appointed city officers may be removed from office by the mayor for cause, otherwise they shall serve through their respective terms aforesaid and until their successors are appointed and qualified in their places. The mayor shall exercise the same power of ap-



pointment to fill a vacancy in any appointive city office, but the person appointed to fill a vacancy due to any cause other than expiration of the term of office shall hold office during the unexpired term of his predecessor.

The police force shall consist of one chief, to be styled the city marshal, and one deputy marshal, and as many police officers as the city council may from time to time adjudge necessary; such police officers, except marshal and deputy marshal and policemen who may be appointed for special occasions, to hold office until reaching the age of sixty years or during good behavior, to be designated as regular police, and to be appointed by the mayor upon recommendation of a committee or board of three to be known as the board of police examiners, and said committee or board shall be appointed by the mayor and shall serve without pay. One member at least of said committee or board shall be a physician. The duty of this committee shall be to examine all applicants for the position of regular police and the applicant who has passed the highest examination during the preceding three years shall be the eligible candidate to be appointed by the mayor. If for any reason, a candidate passing the highest examination is not appointed by the mayor, or withdraws, then the candidates shall be presented for appointment by the mayor in the order of their standing when passing the examination.

The tenure of office of the members of this committee or board shall be three years, one member to be appointed each year, except that the members appointed upon this committee or board during the year nineteen hundred and eighteen shall by lot decide the tenure of their office, one retiring each year; the said committee or board to have power to make suitable rules for its own government.

If, for any just cause the mayor deems any officer appointed under this act unsatisfactory or incompetent, he may order him to appear before said examining board, and shall prefer written charges against him, which charges shall be heard by said board; at said hearing any citizen of Augusta may appear and be heard, and said board shall decide whether said charges have been sustained or not, and if sustained the mayor may remove such officer, and appoint another in his stead under the provisions of this act.

At least twenty-four hours before any such hearing the committee shall cause the officer against whom charges have been filed to be notified of the time and place of hearing upon same, by causing a copy of said written charges to be served upon said officer and said officer may appear and be heard in person, or by counsel. Said board or any member thereof shall have the power to summon witnesses and administer oaths in any matter pending before said board.

This act shall in no wise be held to affect the status of the present members of the police force of the city of Augusta, and shall in no wise affect the length of their terms of service.'

**Sec. 2. How act shall become effective.** This act to take effect January first, nineteen hundred and eighteen, if accepted by a majority vote of the citizens of the city of Augusta, voting at any regular or special election before January first, nineteen hundred and eighteen.

## Chapter 144.

An Act to Enable the Town of Princeton to Supply Electricity and Water.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Generation and transmission of electricity; rights and privileges.** The town of Princeton, by a commission as hereinafter provided, acting for and in behalf of said town, is hereby authorized and empowered to make and generate electricity, and to transmit, conduct and distribute such electricity to, into and throughout said town, and sell and supply the same for lighting streets, buildings and places therein, public and private, and for heating, power, mechanical and manufacturing purposes, municipal or otherwise, in said town, upon such terms and conditions as may be agreed upon between those desiring the use of such electricity, and said town acting by said commission; and for the purposes aforesaid, to erect, lay down, construct, maintain and operate conduits and lines of wires or other material for the transmission of electricity under, over or across any railroad, stream, river, or other water, and under, along, upon or over any streets, ways and bridges, in said town, and under or over any land owned or leased by said town or taken as hereinafter provided, and to take up, replace and repair such conduits, wires or other material, to erect poles and supports along, upon and over streets, ways and bridges in said town, and over or under any land owned or leased by said town or taken as hereinafter provided, and to take up, replace and repair such poles and supports, to build, construct, maintain and repair manufactories, plants, works, power stations, or other buildings upon said lands, and to do any and all things and acts necessary for carrying out the provisions of section one of this act, doing no unnecessary damage.

**Sec. 2. Distribution of water; sources of supply, powers and privileges.** Said town, by said commission, is hereby authorized and empowered to sell, distribute and supply pure water for municipal, domestic, sanitary, mechanical and manufacturing purposes, in said town, including a sufficient supply for extinguishing fires; and for the purposes aforesaid, to take water from any lake, pond, stream, brook, spring or other water source within said town, and to convey any of the waters aforesaid by aqueducts or pipes under, over or across any water course or railroad, to lay down, construct and maintain aqueducts and pipes under, upon, over and along streets, ways and bridges in said town, in such manner as not unreasonably to obstruct the same, and under or over any land owned or leased by said town or taken as hereinafter provided, and to take up, replace and repair all such aqueducts, pipes or service pipes, to construct, maintain and repair plants, power stations or other buildings, and to do any and all things and acts as may be necessary to carry out the purposes of a complete system of water works, doing no unnecessary damage.

**Sec. 3. Authorization to take water rights, real estate and easements necessary for purposes.** Said town, by said commission, shall have power and is hereby authorized to take and hold as for public uses, by purchase, gift, bequest or otherwise any water rights, lands or real estate or interest

therein, necessary for flowage, for power for pumping its water supply through its mains and for running its dynamos or other machinery, for making, generating and supplying electricity, for erecting and maintaining dams, locks and gates, for reservoirs, for erecting and maintaining poles or other supports, for laying and maintaining conduits for wires or other materials for conducting, conveying and distributing electricity, for locating, erecting, constructing and operating manufactories, plants, works or other buildings or structures for making, generating, supplying and distributing electricity and for taking, pumping, conveying, distributing and supplying water for offices, for preserving the purity of its water and water-shed, for laying and maintaining pipes, aqueducts, hydrants or other structures for taking, conducting, conveying, discharging and distributing water, and for rights of way and roadways to be used as approaches to its sources of supply, dams, power stations, reservoirs, mains, aqueducts, conduits, structures and lands, doing no unnecessary damage.

**Sec. 4. Authorized to enter upon lands, make surveys, etc.; record to be filed and public notice given.** Said town, by said commission, may enter upon said lands or real estate so taken and held to make surveys and locations, and shall record in the registry of deeds and file in the office of the county commissioners in the county in which such lands or property lies, plans of such lands and locations, showing the property taken within said county and the names of the owners thereof, and within thirty days thereafter shall publish notice of such taking and filing in some newspaper published in said county wherein said land is taken, such publication to be continued three weeks successively, and such filing in the registry of deeds and office of the county commissioners shall be in lieu of any other filing now required by law.

**Sec. 5. Adjustment of damages.** Should said town, by said commission, and the owner of such land be unable to agree upon the damages to be paid for such taking, location and holding, the land owner or the said town by said commission, may within twelve months after the filing of said plans and location apply to the commissioners of the county wherein said land lies, who shall cause such damages to be assessed in the same manner, and under the same conditions, restrictions, limitations and rights of appeal as are by law prescribed in the case of damages for the laying out of highways, so far as such law is consistent with the provisions of this act.

**Sec. 6. Contracts.** Said town, by said commission, is authorized and empowered to contract with any person, firm or corporation to erect, construct and maintain aqueducts, pipes, dams, locks, gates, hydrants, reservoirs, conduits, poles, supports, manufactories, works or other structures, necessary or convenient for the purposes enumerated in sections one and two herein.

**Sec. 7. Board of commissioners created; how chosen, tenure of office, eligibility, vacancies.** For the purpose of carrying into effect the provisions of this act, there shall be a board of five commissioners, whose duty it shall be to perform all such acts for the town as are necessary and convenient for the full operation of this act, and such as may be prescribed by town

**CHAP. 144**

ordinance or lawfully directed by the municipal officers of said town. The first selectman of the town shall be one of said commissioners and shall be chairman of the board. He shall have the same privilege of voting as other commissioners of the board. The other four commissioners shall be elected by ballot by the qualified voters of the town of Princeton, at a special town meeting duly called therefor, to be held on the third Tuesday, in July, nineteen hundred seventeen. The names of all candidates so to be voted for for election to said board shall be filed three days at least before said election day, exclusive of Sundays, with the municipal officers of said town who shall prepare sufficient ballots with the names of all said candidates so filed, written or printed thereon. A voter shall prepare his ballot by placing a cross opposite such name or names on said ballot as he desires to vote for, not exceeding four. The candidate receiving the highest number of votes at said election shall serve for the term of four years; the candidate receiving the next highest number of votes at said election shall serve for the term of three years; the candidate receiving the next highest number of votes at said election shall serve for the term of two years; and the candidate receiving the next highest number of votes at said election shall serve for the term of one year. Their terms of service shall begin immediately after their election, but shall date from the date of the next annual town meeting. Thereafter one commissioner shall be elected by ballot annually at the annual town meeting to serve for the term of four years. The result of all elections hereunder shall be declared by said municipal officers and due certificate thereof filed with the town clerk. The commissioners may fill any vacancy occurring by death, resignation or otherwise until the next annual town meeting, when a commissioner shall be elected to fill the unexpired term. Municipal officers of the town of Princeton shall not be eligible for election. No person shall be eligible for election unless he shall have been a bona fide resident of said town at least two years immediate prior to said election. Any commissioner losing his residence in said town, thereby vacates such office of commissioner, and such vacancy shall be filled as aforesaid.

**Sec. 8. Water and electric rates; duties of commissioners.** Said commissioners are authorized to fix the rates for electricity and water supplied as aforesaid, to be paid monthly, quarterly, semi-annually or annually, and in the same manner determine the conditions and methods of such supply, and shall have general charge and control of the town's electrical system and water system.

**Sec. 9. Authorized to dig up and excavate highways.** Said town of Princeton, by said commission, is authorized for the purpose of carrying into effect the provisions of this act, to dig up and excavate any right of way or highway in said town, or land owned or leased by said town, or taken as hereinbefore provided, construct conduits, lay pipes or wires therein, and fill the trenches in said highway under the direction of the road commissioner of said town, or such person as may be acting in that capacity for the time being.

**Sec. 10. Damages occasioned by the taking of water by corporation; how determined.** Whenever said town of Princeton shall under section two

## CHAP. 144

of this act take water from any of the sources therein named it shall record in the registry of deeds and file in the office of the county commissioners in the county in which such source of supply is located, a notice of such taking, describing the size, location and depth of the pipe or pipes through which said water is to be taken from said source. The said town of Princeton shall pay all damages sustained by any person, association, partnership or corporation by the taking of any water, water source, water right or easement, by the erection of poles and wires, or by any other thing done by said town under the authority of this act, which shall be determined and assessed in the same manner as is provided in section three for land taken under the provisions of this act.

**Sec. 11. Disagreement with railroad companies adjusted by public utilities commission.** If it shall be necessary for said town, by said commission, to lay pipes, aqueducts or wires across or under the tracks or location of any railroad company, and said town shall fail to agree with such railroad company, as to the place, manner and conditions of crossing its railroad with such pipes, aqueducts or wires, the public utilities commission shall determine the place, manner and conditions of said crossing within thirty days after request by said commission. All work within the limits of the railroad location shall be done under the supervision and to the satisfaction of the officers and agents of the railroad company, but at the expense of said town.

**Sec. 12. Bond issue authorized; how bonds shall be designated and marked.** For the purpose of raising money to carry out any or all of the provisions of this act, the town of Princeton may issue at any time its bonds with interest coupons, signed in behalf of said town by the municipal officers and the treasurer of said town, when authorized by a vote of said town at a legal town meeting, to an amount which, taken in addition to the other indebtedness of the town, will not exceed the amount limited by the constitution of Maine. Such bonds shall be signed by the municipal officers of the town and the treasurer thereof, but the coupons need be signed by the treasurer only; and the bonds shall be designated and marked "The Princeton Electrical Loan" or "The Princeton Water Loan" or "The Princeton Electrical & Water Loan" as the case may be.

**Sec. 13. Compensation of commissioners.** No salary or other compensation shall be received by said commissioners for their services herein designated, unless and until voted by said town.

**Sec. 14. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

## Chapter 145.

An Act to Establish the Presque Isle Municipal Court.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Presque Isle Municipal Court established; eligibility and qualification of judge and recorder.** A municipal court is hereby established in the town of Presque Isle, in the county of Aroostook, which shall be called the Presque Isle Municipal Court and it shall be a court of record and have a seal. Said court shall consist of one judge, who shall be a member of the bar of this state, who shall reside during his continuance in said office in said town of Presque Isle and who shall be appointed, qualified and hold his office as provided by the constitution of this state, and he shall be ex-officio a justice of the peace for the state; and of a recorder who shall be an attorney at law and who shall reside during his continuance in office in said town of Presque Isle, who shall be appointed by the governor with the advice of the council and shall hold his office for the term of four years and be duly commissioned and qualified, and shall before entering upon the duties of his office give a bond to the county of Aroostook, to be approved by the county commissioners of said county, in the sum of ten hundred dollars, conditioned to faithfully perform all the duties of his office as recorder of said court.

**Sec. 2. Jurisdiction.** Said court shall have original jurisdiction concurrent with trial justices in all such civil and criminal matters within the county of Aroostook, as are by law within the jurisdiction of trial justices within said county, including the right to renew executions issued by trial justices in the same way and manner as trial justices; and warrants issued by any trial justice within said county may be returned before said court; and shall have original jurisdiction concurrent with the supreme judicial court and the other municipal courts of said county, of all other crimes, offenses and misdemeanors committed in said county, which are by law punishable by fine not exceeding fifty dollars and by imprisonment not exceeding three months, and where the property in question or injury done is not alleged to exceed thirty dollars in value; and shall have exclusive jurisdiction over all offenses committed against the ordinances or by-laws of the town of Presque Isle, and over all such criminal offenses committed within the limits of the same as are cognizable by trial justices; and no trial justice or justice of the peace shall take cognizance over any crime or offense committed within the limits of said town of Presque Isle, or any civil action over which said court has exclusive jurisdiction.

**Sec. 3. Concurrent jurisdiction.** Said court shall have concurrent jurisdiction with the supreme judicial court in all personal actions where the debt or damage demanded, exclusive of costs, is over twenty dollars, and not over two hundred dollars, and in all actions of replevin under chapter ninety-nine of the revised statutes, when the sum demanded for the penalty, forfeiture or damages, or the value of the goods or chattels replevined does not exceed two hundred dollars; in which any person summoned as trustee

resides within the territorial jurisdiction district of said court, as herein-after defined, or if a corporation, has an established place of business in said district; or, in which, any action not commenced by trustee process, any defendant resides in said district, or if no defendant resides within the limits of this state, any defendant is served with process in said district, or the goods, estates or effects of any defendant are found within said district and are attached on the original writ; but this jurisdiction shall not include proceedings under the divorce laws or complaints under the mill act, so called, nor jurisdiction over actions in which the title to real estate, according to the pleadings filed in the case by either party, is in question; except as provided in chapter ninety-seven, sections six and seven, of the revised statutes.

**Sec. 4. Territorial jurisdiction.** The territorial jurisdiction of said court, in civil actions, shall comprise all that portion of Aroostook county which lies north of the following described line, to wit: commencing on the east line of the state at the southeast corner of Bridgewater, thence running westerly on the south lines of Bridgewater and Township "Letter D," Range two (2) to the west line of said Township "Letter D," Range two (2); thence northerly on said west line to the southeast corner of Township numbered nine (9) Range three (3); thence westerly on the south lines of Township numbered (9) Ranges three (3), four (4), five (5), six (6), and seven (7) to the west line of Township nine (9), Range seven (7); thence northerly on said west line to the southeast corner of Township numbered nine (9), Range eight (8); thence westerly on the south line of Township nine (9), Range eight (8) to the southwest corner thereof; thence northerly on the west line of Townships numbered nine (9) and ten (10), Range eight (8) to the southeast corner of Township numbered eleven (11), Range nine (9); thence westerly on the south line of said county of Aroostook to the west line of the state.

**Sec. 5. Appeals and removal of actions.** Any party may appeal from any judgment or sentence of said court to the supreme judicial court in the same manner as from a judgment or sentence of a trial justice. And if any defendant, his agent or attorney, in any civil action in said court, in which the debt or damage demanded or claimed in his writ exceeds twenty dollars, shall, on or before the first day of the second term of said action, file in said court a written motion for the removal of said action to the supreme judicial court and deposit with the recorder the sum of sixty-five cents for entry fee in said supreme judicial court, the said action shall be removed into the supreme judicial court for said county, and the recorder shall forthwith cause certified copies of the writ, officer's return and defendant's motion and all other papers in the case to be filed in the office of the clerk of said supreme judicial court, and shall pay the entry fee thereof, and said action shall be entered on the docket of the term next preceding said filing, unless said court shall then be in session, in which case it shall be entered forthwith. If no such motion is filed, the said municipal court shall proceed and determine said action, subject to the right of appeal in either party as now provided by law. The pleading in such cases shall be the same as in the supreme judicial court.

## CHAP. 145

**Sec. 6. Costs, by whom recovered.** In any action in this court, in which the plaintiff recovers for the penalty, forfeiture, debt or damage, not over twenty dollars, or property, the value of which does not exceed twenty dollars, the costs shall be taxed and allowed as in similar actions before trial justices, except that the plaintiff shall have two dollars for his writ.

Where the defendant prevails in any action in which the sum claimed in the writ is not over twenty dollars, or property, the value of which does not exceed twenty dollars, he shall recover one dollar for his pleadings and other costs as in similar actions before trial justices.

In actions where the amount recovered by the plaintiff, exclusive of costs, exceeds twenty dollars, or property, the value of which exceeds twenty dollars, or the amount claimed or the value of the property recovered exceeds twenty dollars where the defendant prevails, the costs of the parties, trustees and witnesses shall be the same as in the supreme judicial court.

**Sec. 7. Referees.** Actions pending in this court may be referred to one referee in the same manner as in the supreme judicial court, and on report of the referee to said court, judgment may be rendered in the same manner and with like effect as in the supreme judicial court.

**Exceptions** may be alleged and cases certified on an agreed statement of facts, or upon evidence reported by the judge, in all civil actions, as in the supreme judicial court, and the same shall be entered, heard and determined in the law term thereof, as if the same had originated in the supreme judicial court for the County of Aroostook; and decisions of the law court in such cases shall be certified to the judge of said municipal court for final disposition, with the same effect as in cases originating in said supreme judicial court.

**Sec. 8. Attachments.** All the provisions of the statutes of this state relative to the attachment of real estate and personal property, and the levy of executions shall be applicable to actions in this court.

**Sec. 9. Authority.** Said court is hereby authorized to administer oaths, render judgments, issue executions, certify copies of its records; punish for contempt, and compel attendance, as in the supreme judicial court, and to make all such rules and regulations, not repugnant to law, as may be necessary for the prompt administration of justice and for the carrying into effect of the provisions of this act.

**Sec. 10. Writs; fees, etc.** The price of blank writs with the seal of the court, signed by the judge or the recorder, shall be four cents, and all other fees in civil cases shall be the same as are taxable by a trial justice, except as otherwise provided in sections five and six of this act. All writs and processes in civil matters shall be in the name of the state, bear the teste of said judge, under the seal of said court, and signed by the judge or recorder, be served in time and manner as now provided by law in cases of writs issued by trial justices, except that writs in which the debt or damage demanded exceeds twenty dollars, shall be served in time and manner as similar writs returnable to the supreme judicial court, and no writ shall be made returnable at a term of the court to begin more than three months after the commencement of the action.



## CHAP. 145

**Sec. 11. Civil terms.** A term of said court for the transaction of civil business shall be held on the second Tuesday of each month at ten o'clock in the forenoon, and said court may adjourn from time to time; provided, however, that for the cognizance of criminal offenses and for the entry of actions of forcible entry and detainer said court shall be considered in constant session; and said actions of forcible entry and detainer shall be in order for trial at the return day thereof, and judgment in such actions may be entered on the day when the same are defaulted or heard and determined. Pleadings shall be the same as in the supreme judicial court, and all provisions of law relative to the practice and proceedings in civil actions in the supreme judicial court are hereby made applicable and extended to this court, except so far as they are modified by the provisions of this act.

**Sec. 12. Absence of judge or recorder, or both.** When the judge is absent from the court room, or is interested, it shall be the duty of the recorder and he shall have authority to exercise all the powers of the judge. In case of the absence of the recorder, or a vacancy in his said office, the judge may appoint a recorder who shall be sworn by said judge and act during his absence or until the vacancy is filled. If the judge and recorder are both necessarily absent, the judge may designate some trial justice in said county to perform the duties of the recorder; and if said judge shall not so designate a trial justice, the recorder may designate one.

**Sec. 13. Duties of recorder.** The recorder shall record the doings of said court and shall have the power to administer oaths; he shall hear complaints in all criminal matters and in accusation in bastardy, draw all complaints and sign all warrants, take bail and make and sign all processes of commitment, but the same shall be heard and determined as now provided by law; such bail may be taken by the judge, and such complaints, accusations, warrants and processes of commitment drawn and signed by the judge of said court shall be equally valid. All processes issued by said recorder in criminal matters shall have the seal of said court and be signed by said recorder and have the same authority as if issued and signed by said judge.

**Sec. 14. Location and necessary expenditures; compensation of judge and recorder; proviso.** Said court shall be held in the said town of Presque Isle, within the limits of the village thereof, and the county commissioners of said county of Aroostook shall provide some suitable place for the holding of said court, at the expense of said county; and all expenses of said court, including seal, blank books of record, dockets and all blanks necessary for the use of said court shall be paid from the treasury of the county of Aroostook. The judge of said court shall receive as compensation a salary of ten hundred dollars a year; and the recorder shall receive as compensation a salary of four hundred dollars a year to be paid quarterly from the treasury of the county of Aroostook. A condition precedent to the payment of said salaries as aforesaid shall be the rendering by said judge and recorder of a correct statement to the county commissioners of said county of Aroostook, and the payment over by said judge and recorder to the county treasurer, of all fees both civil and criminal, collected by said court for the preceding quarter or fractional part thereof.

**CHAP. 146**

**Sec. 15. Fines, penalties, costs, etc., to whom paid.** All fines, penalties and costs paid into said court, upon convictions and sentences in criminal matters, together with all fees allowed by law in the transaction of criminal and civil business, shall be paid to said recorder; and all costs in criminal cases shall be taxed the same as in trial justice courts, except that every warrant issued by said court shall be taxed at one dollar.

**Sec. 16. Disposition of fines, penalties, etc.** All fines and forfeitures and fees of the judge and recorder of said court, imposed and collected by said court, in all criminal cases, and all fees of said judge and recorder of said court, in civil and criminal cases, received by either or both, shall be accounted for and paid over quarterly into the treasury of said county of Aroostook, for the use of said county; and all fees of said court paid after any commitment to any jailer shall be paid by him monthly into said treasury.

**Sec. 17. Jurisdiction of trial justices limited; proviso.** Trial justices in said town of Presque Isle are hereby prohibited from exercising any jurisdiction in said town over any matters, civil or criminal, except such as are within the jurisdiction of justices of the peace, provided that until such judge and recorder of said court shall enter upon the duties of their office, any trial justice shall have and exercise the same jurisdiction as though this said municipal court had never been established, and all actions entered and pending before any trial justice at the time said judge and recorder of said court enter upon the duties of their office as aforesaid, shall be finally disposed of by said trial justices; and nothing in this act shall be construed to interfere with such actions returnable before a trial justice as shall be commenced before this act takes effect.

**Sec. 18. Territorial jurisdiction of other municipal courts not affected.** Nothing in this act shall be construed to limit or affect the territorial jurisdiction, in civil or criminal matters, of the other municipal courts in said county of Aroostook, as is established by their respective acts; but the jurisdiction of said Presque Isle Municipal Court over any portion of the county of Aroostook now within the territorial jurisdiction of other municipal courts within said county shall be concurrent with said other municipal courts.

Approved March 31, 1917.

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## **Chapter 146.**

**An Act to Amend Section One of Chapter One Hundred Forty-one of the Private and Special Laws of Eighteen Hundred Eighty-seven, Entitled "An Act to Amend an Act Creating the Phillips Village Corporation."**

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1887, c. 141, § 1, amended.** Section one of chapter one hundred forty-one of the private and special laws of eighteen hundred and eighty-seven is hereby amended by striking out the words "thence in a south-east course on Stephen Quimby's west line one hundred rods to the Mile

Square road, so-called; thence same course on the Avon town line sixty-six rods" and inserting in place thereof the following words: "Thence in a south-east course on the Stephen Quimby west line eighty-nine rods to the northerly line of land of Lucian H. Warren; thence westerly, following said Warren's northerly line, seven and one-half rods to the northwest corner of said Warren's land; thence southerly on said Warren's westerly line eleven rods to the Mile Square road, so-called, thence easterly along Mile Square road seven and one-half rods to the original west line of the Stephen Quimby land, said point being the southeast corner of the original homestead lot of said Warren; thence southeasterly on the same course as the said Stephen Quimby west line, sixty-six rods, to the Avon town line;" so that said section as amended shall read as follows:

**'Sec. 1. Territorial limits changed.** The territory embraced within the following limits is hereby created a body politic and corporate by the name of the Phillips Village Corporation, to wit: commencing at a monument on the town line between Phillips and Avon, and on the west bank of the Sandy river; thence south eighty degrees, west on said town line two hundred and eighty rods, to a monument in the corner of the stone wall between the William Ross and John Record farms; thence in a northerly course on line of said Ross and Record farms, ninety-eight rods to a monument in the fence on the northeast side of the William Ross farm; thence same course, seventy-four rods, to an elm tree in the Charles Ross pasture, marked with a spot on the north and west sides; thence same course, twenty-seven rods to a yellow birch tree marked with a spot on the north and south sides; thence same course, forty-three rods to a spruce tree marked with a spot on the north and south sides; thence same course, forty-three rods, to the southwest corner of George A. French's field on the north side of the lake road, below the D. D. Graffam farm; thence northeasterly on line of the west end of George A. French's field one hundred and twenty-five rods, to two yellow birch trees on the north side of the Kelley road, so-called; thence in a northwesterly direction on the north side of said road one hundred and forty rods, to the northwest corner of land owned by Mrs. Ira Fuller; thence in a northeast course, on lot line of land owned by Mrs. Ira Fuller, Martin C. Kelley, Raymond Ross and others, one hundred and eighty-six rods, to the river road on the west side of the Sandy river; thence in a southerly direction on the east side of said road sixty-six rods, to a cedar post in the fence opposite Raymond Ross' house; thence in a northeast course eighty rods to a cedar post in the corner of the fence in front of Frank Beal's house; thence in a northeast course on line of fence between Frank Beal and D. D. Dennison, forty rods to the west bank of the Sandy river; thence in a southerly direction on the west bank of said river one hundred and ten rods, to an oak tree on the bank of the river marked with a spot on the north and east sides; thence easterly across said river to a small stone bridge south of S. D. McKenney's house forty rods; thence in a southerly course on the line of the river road on the east side of said river, forty-eight rods to the northwest corner of land owned by John R. Weltz; thence in a northeast course, on line of land owned by the aforesaid Weltz and Benjamin Johnson, forty rods to a monument in the fence in the northeast corner of land owned by John R. Weltz; thence in a southerly direc-

**CHAP. 147**

tion on said Weltz's east line sixteen rods; thence easterly on lot line of land owned by Benjamin Johnson and William Shepard, ninety-four rods to the northwest corner of land owned by Stephen Quimby; thence in a southeast course on the Stephen Quimby west line eighty-nine rods to the northerly line of land of Lucian H. Warren; thence westerly, following said Warren's northerly line, seven and one-half rods to the northwest corner of said Warren's land; thence southerly on said Warren's westerly line eleven rods to the Mile Square road, so-called, thence easterly along said Mile Square road seven and one-half rods to the original west line of the Stephen Quimby land, said point being the southeast corner of the original homestead lot of said Warren; thence southeasterly on the same course as the said Stephen Quimby west line, sixty-six rods, to the Avon town line; thence south eighty degrees west forty rods to the stone monument near the line bridge, so-called; thence same course across the river to the place of beginning, eighty rods more or less the same estimated to contain six hundred acres, more or less.'

Approved March 31, 1917.

## Chapter 147.

An Act to Amend Chapter Four Hundred Twenty-two of the Private and Special Laws of Nineteen Hundred and Three, Increasing the Salary of the Recorder of the Municipal Court of the City of Biddeford.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1903, c. 422, amended.** Chapter four hundred twenty-two of the private and special laws of nineteen hundred three is hereby amended as follows, namely: by striking out the word "three" in the third line of the second paragraph of said chapter and inserting instead thereof the word 'six', so that said paragraph as amended, shall read as follows:

**'Sec. 2. Salary of recorder increased.** For all services rendered, except when there is a vacancy in the office of judge, the recorder shall be paid from the county treasury the sum of six hundred dollars annually, payable on the first days of January, April, July and October, which shall be in full for all services rendered as such recorder.'

Approved April 3, 1917.

## Chapter 148.

An Act to Incorporate Maine Fire Insurance Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators, name and purposes; proviso.** Morrill N. Drew, Frederic E. Boothby, Thomas H. Flaherty, Emil G. Pieper, Frank R. Linton, Herbert L. Shephard, Harry A. Furbush, Jefferson M. Swett, George L. Shepley, James H. Campbell, James A. Broe, John J. Cunningham,

## CHAP. 148

their associates, successors and assigns, are hereby constituted and made a body corporate and politic by the name of the "Maine Fire Insurance Company" for the purpose of making insurances on dwelling houses, stores and all kinds of buildings, and household furniture, and other property against loss or damage by fire, lightning, windstorms, floods, tornadoes, earthquakes or explosions, and also against loss or damage by water to any goods or premises arising from the breakage or leakage of sprinklers, pumps or other apparatus erected for extinguishing fires, and of water pipes, and against accidental injury to vessels, boats, cargoes, goods, merchandise, freights, profits, commissions, rents and other property, against loss or damage by all or any of the risks of lake, river, canal and inland navigation and transportation (and every insurance appertaining to or connected with marine risks); also to insure automobiles, whether stationary or being operated under their own power, against all or any of the hazards of fire explosion, transportation, collision or loss by legal liability, for damage to property resulting from the maintenance and use of automobiles, and loss by burglary or theft or both; also to insure against loss or damage arising from the prevention or suspension of the use and occupation of any building, plant or manufacturing establishment, or of any part thereof, due to or caused by the breakage of or accident to engines, boilers, motors, machinery, or from any other cause; and to reinsure the whole or any part of the risks of any other fire insurance company and to effect reinsurances of any or all of the risks taken by this company; with all the powers and privileges and subject to all the duties and liabilities set forth in the general laws of the State of Maine, and all acts in amendment thereof, or in addition thereto, so far as the same may be applicable to this corporation. Provided, however, that no action shall be taken looking toward the dissolution of said corporation or the discontinuance of its business by the reinsurance of its risks or otherwise, except in pursuance of a vote in favor of such action representing in amount not less than four-fifths of the outstanding capital stock of said corporation.

**Sec. 2. Capital stock, shares, etc.; proviso.** The capital stock of said corporation shall not exceed two million dollars, to be fixed in amount from time to time by vote of the board of directors, and shall be divided into shares of one hundred dollars each, and each stockholder shall either in person or by proxy be entitled in all meetings of the corporation to as many votes as he holds shares of stock, provided, however, that one hundred thousand dollars of such capital stock shall be actually paid in before any policy shall be issued by said company.

**Sec. 3. Investment of surplus funds.** The corporation shall have the power to buy, sell, and hold the capital stock, bonds and other property of persons, firms and corporations engaged in kindred or similar lines of business, and may invest its surplus and other funds in such stocks, bonds, mortgages, securities or real estate, as its board of directors may from time to time determine.

**Sec. 4. Taxation.** Said company shall pay a tax on premiums received on property located in the State of Maine, but shall be exempt from all other state and town taxes on its capital stock and surplus invested in securities exempt from taxation as provided by the laws of the state.

**CHAP. 148**

**Sec. 5. By-laws.** The corporation may ordain and pass such rules, regulations and by-laws for the government of said company and the conduct of the business thereof as may be judged expedient, not repugnant to law.

**Sec. 6. Location.** The corporation shall have a place of business in the city of Portland, State of Maine, but the business of the company may be transacted throughout the United States of America and elsewhere by agencies, branches, or otherwise, as may be deemed advisable.

**Sec. 7. First meeting, organization, officers, etc.** The first meeting of said corporation shall be called by notice signed by one of the incorporators herein before named, stating the time and place thereof, a copy of which shall, seven days at least before the time appointed, be given to each incorporator, left at his usual place of business or residence, or deposited in the post office prepaid and addressed to him at his usual place of business or residence. Such notice shall be proved by affidavit of the person giving it. At such meeting, including any adjournment thereof, an organization shall be effected by the choice by ballot of a temporary clerk, who shall be sworn to the faithful discharge of his duties, by the adoption of by-laws consistent with this charter and laws of the state, and by the election of such officers as the by-laws require. The temporary clerk shall record the proceedings, until and including the qualifications of the secretary of the corporation by his being sworn. No organization shall be effected at any such meeting or its adjournment unless a majority of the incorporators are present in person or by proxy. The original incorporators shall elect a board of directors who shall thereafter choose one of the number a president, also an executive committee, a secretary and other officers, which under the by-laws they are authorized to choose. The president, the secretary and a majority of the directors, shall forthwith make, sign and swear to the certificate setting forth the date of the approval of this charter, the name and purposes of the corporation, the amount of capital stock, the amount already paid in, the par value of the shares, the name and residence of the owners, the name of the county where it is located, and the number and names of the incorporators acting as directors. Such certificate shall be recorded in the registry of deeds in the county where the principal office is to be located, and a copy thereof certified by such register shall be filed in the secretary of state's office, who shall enter the date of filing thereof, and on the original certificate to be kept by the corporation, and shall record said copy in a book for that purpose. And from the time of filing said certificate in the secretary of state's office the stockholders of said corporation, their successors and assigns, shall be a corporation with the powers hereinbefore granted.

Approved April 3, 1917.

## Chapter 149

**An Act Authorizing the Bondholders or Purchasers of Sanford and Cape Porpoise Railway Company and The Atlantic Shore Railway to Reorganize said Corporations.**

*Be it enacted by the People of the State of Maine, as follows:*

**Organization of new corporation authorized.** The bondholders of Sanford and Cape Porpoise Railway Company and of The Atlantic Shore Railway, corporations organized under the laws of the state of Maine, or the purchasers at foreclosure or court sale of Sanford and Cape Porpoise Railway Company property and franchises or of the whole or any portion of The Atlantic Shore Railway properties and franchises, are hereby authorized to organize a new corporation or corporations with all the rights and privileges of the original corporation or corporations pursuant to the appropriate provisions of section seventy-three of chapter fifty-one and sections thirty-six to fifty-eight inclusive of chapter fifty-seven of the revised statutes.

Approved April 3, 1917.

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## Chapter 150.

**An Act to Extend the Charter of the Lubec, East Machias and Machias Railway Company.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Charter extended for two years.** The rights, powers and privileges of the Lubec, East Machias and Machias Railway Company, which were granted by chapter one hundred and twenty-three of the private and special laws, of one thousand nine hundred and eleven, and extended by chapter one hundred forty-eight of the private and special laws of one thousand nine hundred and thirteen, and extended by chapter fifty-three of the private and special laws of one thousand nine hundred fifteen, are hereby extended for two years from the date when this act shall take effect; and the persons named in said act, their associates, and successors, shall have the rights, powers and privileges which were granted to them by said act to be exercised by them for the same purposes as specified in said act.

**Sec. 2. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved April 3, 1917.

## Chapter 151.

An Act to Incorporate the Brassua Stream Dam and Improvement Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Name and corporators.** George M. Stearns, Everett E. Amey, Forrest H. Colby, Roy L. Marston and Gilbert Oakley, their associates and assigns are hereby incorporated under the name of the Brassua Stream Dam and Improvement Company, with all the powers and privileges of similar corporations.

**Sec. 2. Purposes; adjustment of damages.** Said corporation is authorized to build dams, side dams, remove rocks and make all other necessary improvements in Brassua Stream and the North Branch thereof, sometimes called Cullen Brook, to facilitate the driving of logs and lumber down the same, and for this purpose said corporation may take land and materials necessary to build such dams and make such improvements, and may flow contiguous lands so far as necessary to raise suitable heads of water; and if the parties cannot agree upon the damages the corporation shall pay the proprietors of the land and materials so taken such damages as shall be ascertained and determined by the county commissioners for the county of Somerset, in the same manner and under the same conditions and limitations as are by law provided in the case of damages by laying out public highways; and for the damage occasioned by flowing land the said corporation shall not be liable in an action at common law, but persons injured may have a remedy by a complaint for flowing, in which the same proceedings shall be had as when a complaint is made under a statute of this state for flowing lands occasioned by raising a head of water for the working of mills.

**Sec. 3. Reservation by state.** The state of Maine reserves the right to take over by proper legislation, the property, rights and franchises of said company upon the payment of just compensation to the owners thereof, but such compensation shall not include the value of the franchises hereby granted.

**Sec. 4. Tolls; exemption.** Said corporation may demand and receive a toll for the passage of logs and lumber over or through its said dams and improvements, as follows: Thirty-five cents per thousand feet for logs, seventeen and one-half cents per cord for pulpwood and thirty-five cents per thousand feet for ties, reckoning fifty ties to the thousand feet if not scaled, landed above the confluence of the North and West Branches; twenty-five cents per thousand feet for logs, twelve and one-half cents per cord for pulpwood and twenty-five cents per thousand feet for ties landed below the confluence of said branches; and said corporation shall have a lien upon all logs and lumber which may pass over its dams and improvements for the payments of said tolls; but the logs of each particular mark shall be holden only for the tolls of such mark, and unless such toll is paid within twenty days after such logs or lumber, or a major part of the same, shall arrive at the place of manufacture or destination, said corporation



may seize said logs and lumber and sell at public auction so many and so much thereof as shall be necessary to pay such tolls, costs and charges thereon, after ten days' notice in writing of the time and place of said sale given to the owner of such logs or lumber or his agent.

In consideration of the expenditure by the Great Northern Paper Company of certain sums of money for the improvement of said stream and for the repairs of a dam thereon, said Great Northern Paper Company shall be exempt for a period of five years from July first, nineteen hundred seventeen from the payment of tolls for logs, pulpwood and ties cut on Tomhegan township and landed on said stream.

**Sec. 5. Cessation of tolls.** When said corporation shall receive from tolls its outlay on all dams and improvements and for repairs made up to that time, with six per cent. interest thereon, then the tolls herein provided shall be reduced to a sum sufficient to keep said dams and improvements in repair. Said corporation shall keep correct and full account of all its receipts and expenditures, and shall submit the same at any time for examination to any person, firm or corporation liable to pay tolls under this act.

**Sec. 6. Dams not to be used for power purposes.** No dam built by said corporation under this act shall be used for power purposes.

**Sec. 7. Capital stock.** The capital stock of said corporation may be fixed by it from time to time, but not to exceed fifty thousand dollars, to be divided into shares of such par value as it may determine. The corporation may, by its by-laws, provide for all its officers and for the management of its internal affairs in the same manner as corporations organized under the general laws of the state.

**Sec. 8. First meeting.** The first meeting of said corporation shall be called by a notice signed by one of the incorporators named in section one, mailed to each of the other incorporators at least seven days before the day of such meeting.

Approved April 3, 1917.

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## Chapter 152.

An Act to Legalize and Confirm the Incorporation and Doings of the Congregational Parish of Weld, Maine, and to Authorize the Conveyance of its Real Estate.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Incorporation validated.** The incorporation of the Congregational Parish of Weld, Maine, is hereby made, and declared to be, legal and valid, and all of its acts and doings as a corporation, are hereby legalized and confirmed.

**Sec. 2. Elmer O. Metcalf authorized to call meeting; place, date, etc.** Elmer O. Metcalf is declared to be the clerk of said corporation, and he is hereby authorized to call a meeting of the members thereof, to be held in the meeting house of said parish at Weld, Maine, on such date after this act shall become effective, as he may designate, of which meeting seven

**CHAP. 158**

days' notice shall be given by posting a copy of said notice on the outer door of said meeting-house, and in one other public place in said town; and the certificate of such clerk showing that such notice has been given, duly sworn to, shall be sufficient evidence of the giving of said notice.

**Sec. 3. Transfer of property authorized.** At such meeting, the members of said parish are authorized and empowered to pass the necessary votes to transfer and convey its real estate and other property to the Congregational church of Weld, Maine, or to such other corporation as the members of said parish may, at such meeting, determine upon.

Approved April 3, 1917.

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## Chapter 153.

**An Act to Authorize the Town of Caribou to Acquire the Property of the Caribou Water, Light and Power Company and to Construct and Maintain a System of Water Works.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Transfer authorized.** The town of Caribou in the County of Aroostook, is hereby authorized and empowered to purchase, and the Caribou Water, Light and Power Company is hereby authorized to sell and convey to said town of Caribou, all the property of said company, or any part thereof connected with its system of water, light and power in said town of Caribou, together with all of the rights and privileges connected therewith, subject, however, to any mortgage thereon, given to secure the payment of bonds not due at the time of such sale and conveyance. Said town of Caribou, by its municipal officers, when duly authorized by a vote of the inhabitants of said town and said company, are hereby authorized and empowered to enter into a mutual written agreement for the purchase and sale of said property upon such terms as may be agreed upon by said town and said company.

**Sec. 2. When purchase has been consummated, town authorized to construct system of water works.** After said town has acquired by purchase the property named in the foregoing section, said town of Caribou is hereby authorized and empowered to construct, maintain and operate a system of water works of sufficient capacity to supply to said town, to its inhabitants, to corporations located in said town, to public buildings now erected or which may be hereafter erected in said town, pure water for municipal, domestic and other lawful purposes, including the extinguishment of fires, with all the rights and privileges and subject to all the liabilities and obligations conferred and incumbent upon water companies by the general laws of the state.

**Sec. 3. Right of eminent domain.** Said town is hereby authorized and empowered to acquire by purchase, or by exercise of the right of eminent domain, which right is hereby expressly delegated to said town for said purpose, any real or personal estate other than that acquired from said company necessary and convenient for the purposes aforesaid.

**Sec. 4. Source of supply; where and how pipes, etc. may be laid and maintained.** For the purposes aforesaid, said town is hereby authorized to take, detain and use the waters of any river, pond, stream or spring in said town of Caribou, to conduct and distribute the same into and through said town, and is also authorized to dig, drive, drill and maintain wells, and to conduct and distribute the water from the same into and through said town, to survey for, locate, lay, erect and maintain suitable dams, reservoirs, machinery, pipes, aqueducts and fixtures; to carry its pipes and aqueducts under or over any water course, bridge, street, highway or other way; and said town is further authorized to enter upon and excavate any highway or other way in such manner as least to obstruct the same, to enter, pass over and excavate any land and to take and to acquire, by purchase or by the exercise of the right of eminent domain, any rights of way or of water, and in general to do any acts necessary, convenient or proper for carrying out any of the purposes hereinbefore specified. And said town is further authorized, for the purpose of making all needed repairs, or service connections, to lay its pipes through any public or private lands and ways, with the right to enter upon and dig therein. Said town is also hereby authorized to lay, construct and maintain its pipes across the location of any railroad, and all work within the limits of the railroad locations shall be done under the supervision and to the reasonable satisfaction of the chief engineer of the railroad company.

**Sec. 5. Town liable for damages.** Said town shall be held liable to pay all damages that shall be sustained by any person or by the taking of any land or other property, or by flowing or by excavating through the same, the same to be taken and the damages assessed therefor in the manner provided by law.

**Sec. 6. Pipes, etc. may be laid along street and ways of town.** Said town is hereby authorized to lay down and maintain in and through the streets and ways of said town, all such pipes, aqueducts and fixtures as may be necessary for the purposes hereinbefore specified.

**Sec. 7. Contracts, with whom made.** Said town is hereby authorized to contract with the United States, the State of Maine, and all persons and corporations to supply the same with water for all purposes upon such terms and conditions as may be mutually agreed upon, and to establish written regulations for the use of said water.

**Sec. 8. Authorized to erect poles, extend wires, etc.** Said town shall have full power to erect poles and extend wires, for maintaining present electric lines or their extension when necessary, becoming liable whenever there is damage to private property.

**Sec. 9. Bond issue.** For the purpose of raising the money to carry out the provisions of this act, the town of Caribou may issue its bonds, with interest coupons, said bonds to be signed by the municipal officers and treasurer of said town, when authorized by a vote of said town, to an amount which, taken in connection with the other indebtedness of the town, will not exceed the amount limited by the constitution of Maine. Said coupons

**CHAP. 154**

need not be signed as the bonds, but shall have printed or lithographed thereon the signature of the town treasurer.

**Sec. 10. Proviso.** The provisions of sections two, three, four, five, six, seven and eight of this act shall not become effective until said town of Caribou has acquired by purchase the property described in section one of this act.

Approved April 2, 1917.

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## Chapter 154.

An Act Amendatory of and Additional to Chapter Forty-four of the Private and Special Laws of Eighteen Hundred Eighty-seven, Relating to the Skowhegan Water District.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1887, c. 44, s. 3, amended.** Section three of said act is amended by adding after the word "river," in the fourth line of said section, the following words: 'and from any pond, lake or stream lying wholly or partly within the county of Somerset,' so that said section as amended shall read as follows:

**'Sec. 3. Water may be taken from any pond, lake or stream, wholly or in part in Somerset county.** For any of the purposes aforesaid, or for the preservation and purity of said water, said corporation is hereby authorized to take and use water from the Kennebec river, and from any pond, lake or stream lying wholly or partly within the county of Somerset, to conduct and distribute the same into and through the town aforesaid, to survey for, locate, lay, erect and maintain suitable dams, reservoirs and machinery, pipes, aqueducts and fixtures; to carry its pipes or aqueducts under or over any water-course, bridge, street, railroad, highway or other way; and said corporation is further authorized to enter upon and excavate any highway, or other way, in such manner as least to obstruct the same; to enter, pass over and excavate any lands, and to take and hold, by purchase or otherwise, any real estate, rights of way or water, and in general do any acts necessary, convenient or proper, for carrying out any of the purposes hereinbefore specified. And said corporation is further authorized, for the purpose of making all needed repairs or service connections, to lay its pipes through any public or private lands or ways, with the right to enter upon the same and dig therein, and said corporation may establish written regulations for the use of said water, and change the same from time to time.'

**Sec. 2. Bond issue.** Said act is further amended by adding the following section:

**'Sec. 11. May issue mortgage bonds to amount not exceeding capital.** Said corporation is hereby authorized for the purpose of refunding its outstanding bonds or for carrying out any of the purposes of said corporation to issue mortgaged bonds to an extent not exceeding its authorized capital stock, which said bonds may be secured by a mortgage upon the franchise and any and all other property of said corporation.'

Approved April 2, 1917.

## Chapter 155.

An Act to Authorize the Town of Yarmouth to Supply Gas and Electricity.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Town authorized to generate and sell gas and electricity.** The town of Yarmouth, by its municipal officers or by such commission as it may choose, is authorized and empowered to buy, make, generate, transmit, supply, sell and distribute electricity or gas, or both, for light, heat and power in the town of Yarmouth, to said town and to corporations, firms and individuals.

**Sec. 2. Locations subject to approval of town.** Subject to the permission of said town, all locations upon, in or under the streets, roads or highways in said town, necessary for the purposes of this act, are hereby granted, and the municipal officers shall designate the streets, roads or ways to be so occupied, the location of the poles, and may establish reasonable restrictions as to kind of poles, their construction and maintenance, the height of wires and use of guard wires.

**Sec. 3. Powers.** The town of Yarmouth, by its municipal officers or by said commission, is authorized and empowered to acquire, by lease or purchase, any lands, real estate or water powers, developed or undeveloped, lying wholly or partly in Yarmouth, and also the plant, property and franchises of any company now or hereafter doing a similar business in said town; to locate, construct and maintain dams; build and equip power houses, reservoirs or gas holders; install water wheels and dynamos; erect poles or lay pipes and conduits and string wires above or below ground; to contract with any corporation, firm or individual for the purchase or sale of power or electricity; to lease its plant, for not exceeding five years, to any corporation, firm or individual; and to do all other things necessary to carry out the purposes set forth in section one.

**Sec. 4. Proviso.** Before the town of Yarmouth shall construct any plant under the provisions of this act, it shall purchase the plant, property and franchises of the Yarmouth Lighting Company, provided the said company desires to sell; and said company is hereby authorized to sell. The procedure shall be as follows: When the town of Yarmouth shall vote to enter upon the business of supplying gas and electricity, or either, the town clerk shall notify the said Yarmouth Lighting Company of such action by registered letter directed to its office. If, within thirty days thereafter, said company signify in writing to said town clerk its decision to sell, it shall within ninety days after so signifying deliver to said town suitable deeds, or other instruments conveying its plant, property and franchises; and said town shall pay to said company the fair value thereof, to be ascertained as hereinafter provided. Should said town and said company be unable to agree upon the value of said plant, property and franchises, then such value shall be determined by three appraisers, one of whom shall be chosen by the town, one by the company, and a third by these two, or, if they be unable to agree, the third shall be named by the chief justice of the supreme court of Maine.

**CHAP. 156**

**Sec. 5. May take land, real estate or undeveloped water power; procedure.** Said town, by its municipal officers or commission, shall have the right to take any land or real estate or undeveloped water power, located wholly or partly in the town of Yarmouth, as may be necessary for the purpose of carrying out the provisions of this act. Said town, by its municipal officers or said commission may enter upon any lands or real estate so taken and held, to make surveys and locations, and shall file in the registry of deeds in the county in which such land or property lies, plans of such lands and locations, showing the property taken within said county, and within thirty days thereafter, shall publish notice of such taking and filing in some newspaper published in said county wherein said land is taken, such publication to be continued three weeks successively, and such filing in the registry of deeds shall be in lieu of any other filing now required by law.

**Sec. 6. Adjustment of damages.** Should the said town of Yarmouth, by its municipal officers or said commission, and the owner of such land, real estate or undeveloped water power, be unable to agree upon the damages to be paid for such taking, location and holding, the land owner or the town of Yarmouth by its municipal officers or said commission, may, within six months after the filing of said plans and location, apply to the commissioners of the county wherein said land lies, who shall cause such damages to be assessed in the same manner, and under the same conditions, restrictions, limitations and rights of appeal as are by law prescribed in the case of damages for the laying out of railroads, so far as such law is consistent with the provisions of this act.

**Sec. 7. Bond issue.** Said town is hereby authorized to issue bonds or town orders for carrying out this act, upon such rates and time, and to such amounts as it may deem necessary, subject to provisions of chapter fifty-five of the revised statutes known as the public utilities act.

**Sec. 8. Approval of public utilities commission necessary before act is effective.** Said town shall not exercise the powers and privileges conferred on it by this act until it shall have obtained the consent of the public utilities commission given after public hearing of all parties interested, with a declaration that public convenience and necessity require the exercise of said powers and privileges by said town; provided, however, that such consent shall not be necessary for said town to furnish electricity for its own municipal purposes.

Approved April 3, 1917.

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## **Chapter 156.**

**An Act to Authorize the Construction of a Weir in the Tidewaters of Little Machias Bay in the Town of Cutler.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. A. A. Hodgdon, et als, authorized to construct weir.** A. A. Hodgdon of Cutler and others in the County of Washington are hereby authorized to build and maintain a weir for fishing purposes in front of

**CHAP. 157**

land leased by said A. A. Hodgdon, in the tide-waters of Little Machias bay in said town of Cutler; provided said weir does not interfere in the navigation or rights of others.

**Sec. 2. Location and specifications.** The above mentioned weir shall be located as follows, to wit: the pound of the weir to be located on the easterly side of the ledge known as Marston's Ledge on the westerly side of Little Machias bay in the town of Cutler; the pound of the weir to be six hundred ten feet from Marston's Ledge, ninety-six feet swing, and face the northwest, with one wing of not more than three stakes, running westerly to Marston's Ledge.

Approved April 3, 1917.

## Chapter 157.

**An Act Authorizing the Biddeford and Saco Water Company to Increase its Capital Stock and to hold Securities in Other Corporations.**

*Be it enacted by the People of the State of Maine, as follows:*

**Increase of capital stock authorized; may purchase and hold securities in other corporations; proviso.** The Biddeford and Saco Water Company is hereby authorized to increase its capital stock two hundred thousand dollars for the purposes and in the manner and subject to the restrictions provided in sections thirty-seven and thirty-eight of chapter fifty-five of the revised statutes for the regulation and control of public utilities; and the said company is hereby authorized to purchase and hold securities in other corporations located and doing business in the cities of Biddeford and Saco; provided, however, the purchase of said securities shall first be approved by the public utilities commission, and shall only be made with profits properly devotable to reserves, and only in such amounts as the public utilities commission shall approve. Said increase of stock may be effected by a vote representing a majority of the stock issued.

Approved April 3, 1917.

## Chapter 158.

**An Act to Incorporate The Summer Harbor Water Company.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Name, corporators and purposes.** Edward J. Hammond, Edward C. Hammond, W. Allen Taft, Jr., and Luere B. Deasy, their associates, successors and assigns, are hereby made a corporation by the name of The Summer Harbor Water Company, for the purpose of supplying the inhabitants of the towns of Gouldsboro and Winter Harbor, Hancock county, Maine, and said municipalities with pure water for domestic, sanitary and municipal purposes, for the supplying of shipping and for the develop-

**CHAP. 158**

ment of power; but only within that part of the town of Winter Harbor which lies westerly and northerly of a straight line beginning at the point of intersection of the town lines bounding the town of Winter Harbor on the north and east, respectively, and extending in a general southwesterly direction to the south end of Deep Cove, so called, on the shore of Frenchman's Bay.

**Sec. 2. Source of supply.** Said company, for said purposes, may retain, collect, take, store, use and distribute the waters of Lily pond, at South Gouldsboro, in the town of Gouldsboro, and may locate, construct and maintain dams for the purpose of raising the level of said pond, and reservoirs, aqueducts, gates, pipes, hydrants and all structures necessary for the distribution of water therefrom.

**Sec. 3. Pipes, etc., construction and maintenance; damages.** Said corporation is hereby authorized to lay, construct and maintain, in, under, through, along and across the streets and highways of the town of Gouldsboro and of that part of the town of Winter Harbor hereinbefore designated, and to take up, replace and repair all sluices, aqueducts, pipes, hydrants and structures that may be necessary for the purposes of its incorporation so as to not unreasonably obstruct the same, under such reasonable restrictions and conditions as the selectmen of said towns may impose. Said corporation shall be responsible for all damages to persons and property occasioned by the use of said highways, ways and streets and shall further be liable to pay to said towns all sums recovered against said towns for obstruction caused by said company and for all expense, including reasonable counsel fees incurred in defending such suits, with interest on the same, provided said company shall have notice of such suits and opportunity to defend the same.

**Sec. 4. May take lands for necessary structures; may locate pipes, hydrants, etc.; proviso.** Said corporation may take and hold the waters of said Lily pond and streams tributary thereto and may also take and hold any lands necessary for dams, reservoirs and other necessary structures and may locate, lay and maintain aqueducts, pipes, hydrants and other necessary structures and fixtures, in, over and through any lands for its said purposes and excavate in and through such lands for such location, construction and maintenance. It may enter upon such lands to make surveys and locations and shall file plans and descriptions of all land and the description of all other property taken in the office of the county commissioners, as required by the general law of the state. Not more than one rod of width of land shall be occupied by any one line of pipe or aqueduct.

**Sec. 5. Adjustment of damages in absence of agreement.** In the absence of an agreement as to damages for land or other property taken, damages shall be assessed in the same manner as may be required at the time of such taking in the case of the location of county ways and with the same right of appeal. The corporation may occupy lands and take other property for its purposes before damages are determined, but in such case, if required by the person claiming such damage, a bond to secure such payment shall be presented to, approved by and filed with the county commissioners of Han-



## CHAP. 159

cock county. If within sixty days after final determination of such damages the same are not paid, all rights of said corporation under its location shall cease. Failure to apply for damages within one year from the taking by any person damaged shall be held as a waiver of the same.

**Sec. 6. Capital stock.** The capital stock of said company shall be one hundred thousand dollars divided into shares of one hundred dollars each.

**Sec. 7. Personal and real estate holdings; amount limited.** Said corporation for all its purposes may hold real and personal estate necessary and convenient therefor, not exceeding two hundred and fifty thousand dollars in value.

**Sec. 8. Bond issue; proviso.** Said corporation may issue its bonds for the construction of its works to any amount not exceeding one hundred and fifty thousand dollars, and secure the same by mortgage or mortgages of the franchises of the company and of all of its property then owned and to be acquired. Provided, however, that the issuance of said stock and bonds shall be subject to the approval of the public utilities commission, as provided by law.

**Sec. 9. First meeting; proviso.** The first meeting of said corporation may be called by a written notice thereof signed by any incorporator herein named and served upon each of the incorporators by giving the same in hand or by leaving the same at his last and usual place of abode, seven days before the time of meeting. If all incorporators are present at such meeting of organization, either personally or by written proxy, said meeting and the doings thereof shall be legal notwithstanding no notice thereof has been given.

Approved April 3, 1917.

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## Chapter 159.

An Act to Amend Section One of Chapter Two Hundred Eighty-five of the Private and Special Laws of Eighteen Hundred Fifty-four, Relating to the Erection of Wooden Buildings in the City of Portland.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1854, c. 285, § 1, amended.** Section one of chapter two hundred eighty-five of the private and special laws of eighteen hundred fifty-four entitled, "An act respecting the erection of wooden buildings in the city of Portland," is hereby amended by inserting after the word "roof" in the fifth line thereof the following sentence: 'Such limits shall include the thickly settled portion of said city only,' so that said section as amended shall read as follows:

**'Sec. 1. Limits to include only thickly settled portions.** The city council of the city of Portland is hereby authorized to establish limits in said city by ordinance of the city council, within which it shall not be lawful to erect wooden buildings exceeding ten feet in height from the ground to the eaves of the roof. Such limits shall include the thickly settled portion of said city

**CHAP. 160**

only. The limits so established shall not afterwards be changed within one year from the passage of ordinance establishing same; and whenever any new limits shall be defined and established for the purposes contemplated by this act, the ordinances establishing the same shall take effect in four months from its passage and not sooner.'

Approved April 8, 1917.

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## **Chapter 160.**

**An Act to Amend Chapter Two Hundred and Thirteen of the Private and Special Laws of Nineteen Hundred Fifteen, Relative to the Granting of Licenses for Certain Businesses and Purposes by the Municipal Officers of the City of Portland.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1915, c. 213, amended. List of purposes and businesses revised.** Chapter two hundred and thirteen of the private and special laws of nineteen hundred fifteen is hereby amended so that the same shall read as follows: 'The municipal officers of the city of Portland are hereby authorized to grant licenses for the following businesses and purposes for such periods of time and in accordance with such rules and regulations not inconsistent with law, and upon payment by the licensee of such fees, as the city council of said city may make and establish by ordinance, to wit: Auctioneers, the maintenance and operation of sidewalk tanks and pumps for the sale or distribution of gasoline and other volatile inflammable liquid for fuel or power, billiard tables, pool tables, bowling alleys, junk dealers, peddlers, employment agencies, itinerant vendors, public carriages, automobiles, and taxicabs having no specified routes or termini, and the drivers or operators thereof, public wagons and trucks and drivers or operators thereof, amusements, exhibitions and performances, dealers in explosives, theatres, moving picture houses, inn-holders, victualers, pawn brokers, lodging houses (of ten lodging rooms or more), public shooting galleries, dealers in fire works, public dance halls, circuses, organ grinders, motor busses having specified routes or termini, and the drivers or operators thereof, handcarts or push carts, money lenders, bill distributors, ticket speculators and the maintenance of signs, flags, banners, awnings, marquees, and other temporary or permanent structures, excepting the temporary and permanent structures of public utilities corporations, over the sidewalks, roads, ways and streets of said city.'

**Sec. 2. Inconsistent statutes repealed.** All acts, part of acts, ordinances, parts of ordinances, and provisions of charters, inconsistent with the provisions hereof, are hereby repealed.

Approved April 8, 1917.

## Chapter 161.

An Act Relating to the Department of Electrical Appliances of the City of Portland.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Tenure of office of employees; future appointments; suspension.** All employees of the department of electrical appliances of the city of Portland including the city electrician, shall be continued in the service of said department without reappointment, unless removed for inefficiency or other cause, or retired upon arrival at the age limit of sixty (60) years; and all future appointments of employees of the department of electrical appliances of the said city of Portland, except the city electrician, shall be made by the city electrician by and with the advice and consent of the committee on electrical appliances of said city of Portland. All employees of the department of electrical appliances of the city of Portland, except the city electrician, continued in service, or hereafter appointed under the provisions of this Act, shall hold their respective positions during good behavior, subject, however, after a hearing, to removal at any time by the city electrician, by and with the advice and consent of the said committee on electrical appliances for inefficiency or other cause. The city electrician may for cause suspend any employee of said department from duty, such suspension shall continue in force until the next meeting of the committee on electrical appliances, provided said meeting is held within seven (7) days from the date of such suspension.

**Sec. 2. Removal.** Notice of such hearing before the committee on electrical appliances, for removal for inefficiency or other cause, shall be in writing and served in hand upon such employee at least forty-eight (48) hours before the time of hearing.

**Sec. 3. Eligibility of employees.** No person, except the city electrician, shall hereafter be appointed as an employee of said department of electrical appliances of the city of Portland, unless such person shall have had a continued residence in the city of Portland for at least one (1) year before such appointment, and is a qualified elector of said city.

**Sec. 4. Retirement on pension.** The city council of the city of Portland is hereby authorized and empowered to provide by ordinance for the retirement, upon a pension not exceeding half pay, of any employee of the department of electrical appliances of the city of Portland, except the city electrician, who, having served not less than twenty (20) years in said department, and having arrived at the age of sixty (60) years, shall have been honorably discharged, or who has become permanently disabled through bodily injuries sustained while in the discharge of his duty, or consequent therefrom.

**Sec. 5. City electrician, how chosen, tenure, compensation, removal.** The city council of the city of Portland may elect a city electrician when a vacancy occurs in said office and may define his duties by ordinance and fix his compensation; the term of office of the city electrician elected as herein provided shall be during good behavior and he may be removed for

**CHAP. 162**

inefficiency or other cause at any time by the mayor, by and with the consent of the board of aldermen.

**Sec. 6. P. & S. L., 1909, c. 369 and inconsistent statutes, repealed.** Chapter three hundred sixty-nine of the private and special laws of nineteen hundred nine and all ordinances of the city of Portland inconsistent herewith are hereby repealed.

Approved April 3, 1917.

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## Chapter 162.

**An Act to Provide for Card Index for Probate Registry of Aroostook County.**

*Be it enacted by the People of the State of Maine, as follows:*

**Card index of papers and books in probate office, Aroostook County.** The county commissioners of Aroostook county, together with the register of probate for said county, are hereby authorized to make a card index of all papers and books in the probate office of said county, the cost of such index to be paid for by the county.

Approved April 3, 1917.

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## Chapter 163.

**An Act to Amend Chapter Four Hundred and Fifty-two of the Private and Special Laws of Eighteen Hundred and Ninety-seven, Relating to the Trustees of the Fund for the Support of the Episcopate of the Protestant Episcopal Church in the Diocese of Maine.**

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1897, c. 452, § 1, par. two, amended.** Paragraph two of section one of chapter four hundred and fifty-two of the private and special laws of eighteen hundred and ninety-seven, relating to the trustees of the fund for the support of the Episcopate of the Protestant Episcopal church in the diocese of Maine, is hereby amended by striking out the word "two" in the fourth line of said section, and inserting in place thereof the word 'five', so that said paragraph as amended shall read as follows:

**'Sec. 1. Amount of real and personal estate that may be held increased to \$500,000.** The trustees of the diocesan funds in the diocese of Maine shall have power to take and hold real and personal estate contributed for parochial endowments or other church purposes, to the amount of five hundred thousand dollars, and to manage and dispose of the same in accordance with the terms of the several gifts, grants, or endowments, and said trustees shall keep an account with each endowment or gift comprising said fund, and report their doings in managing the same and the condition thereof, to the convention of the diocese annually.'

Approved April 3, 1917.

## Chapter 164.

An Act to Appropriate Moneys for the Expenditures of Government and for Other Purposes for the Year Nineteen Hundred Seventeen.

**Emergency preamble.** Whereas, the appropriation of moneys for the maintenance of the several branches of the state government, its institutions and for other purposes, is an emergency measure immediately necessary for the preservation of the public peace, health or safety, now, therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Appropriations.** In order to provide for the several acts and resolves of the legislature requiring the payment of moneys from the state treasury, and also to provide in part for the necessary expenditures of government and for other purposes, for the current fiscal year nineteen hundred seventeen, the following sums are hereby appropriated out of any moneys in the state treasury, and except where otherwise specially provided, the governor with the advice of the council, is hereby authorized at any time prior to the first day of July, nineteen hundred eighteen, to draw his warrant on the state treasurer for the same.

### Adjutant General's Department.

For salary of adjutant general, two thousand dollars	\$2,000 00
For stationery and office supplies, three thousand dollars	3,000 00
For clerk hire, sixteen hundred dollars	1,600 00
For military fund, forty-five thousand dollars	45,000 00
For armory rentals, twelve thousand five hundred dollars	12,500 00
For historical records, one thousand dollars	1,000 00
For repairs of state armory, Portland, one thousand five hundred dollars	1,500 00
For steel lockers for National Guard armories, five thousand dollars	5,000 00

### Attorney General's Department.

For salary of the attorney general, four thousand dollars	4,000 00
For salary of assistant attorney general, two thousand dollars	2,000 00
For expenses of the attorney general and clerk hire, one thousand five hundred dollars	1,500 00
For printing and binding, fifteen hundred dollars,	1,500 00
For arrest and apprehension of criminals, seven thousand five hundred dollars	7,500 00

### Bank Commissioner's Department.

For salary of bank commissioner, two thousand five hundred dollars	2,500 00
For salary of clerks, five thousand four hundred and fifty dollars	5,450 00

**CHAP. 164**

For traveling expenses of commissioner and deputies, two thousand three hundred dollars	2,300 00
For printing annual report, stationery and office expenses, three thousand dollars	3,000 00
For verification of savings deposits, stationery, traveling expenses, clerk hire, etc., one thousand five hundred dollars	1,500 00

**Board of Dental Examiners.**

For equipment consisting of twelve operating tables, steel cabinet, printing and postage, three hundred dollars	300 00
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**Board of State Assessors**

For salary of board, six thousand dollars	6,000 00
For salary of clerk, one thousand three hundred and fifty dollars	1,350 00
For salary of additional clerk, one thousand dollars	1,000 00
For traveling expenses, fifteen hundred dollars	1,500 00
For stationery and office supplies, including printing of annual report, binding, and salary of stenographer, three thousand five hundred dollars	3,500 00
For ascertaining value of wild lands, five thousand dollars	5,000 00

**Commissioner of Agriculture**

For salary of commissioner, two thousand dollars	2,000 00
For clerk hire, one thousand dollars	1,000 00
For traveling expenses, five hundred dollars	500 00
For agricultural statistics, three thousand dollars	3,000 00
For printing, report, blank forms, etc., six thousand seven hundred dollars	6,700 00
For improving and protecting animal industry, five thousand dollars	5,000 00
For farmers' institutes and dairymen's conference, three thousand dollars	3,000 00
For aid to agricultural societies, fourteen thousand eight hundred forty-seven dollars and forty-two cents	14,847 42
For Maine Seed Improvement association, one thousand dollars	1,000 00
For packing and shipping apples, three thousand dollars	3,000 00
For Maine State Pomological Society, two thousand dollars	2,000 00
For Central Maine Fair Company, two thousand five hundred dollars	2,500 00
For Maine State Agricultural Society, two thousand five hundred dollars	2,500 00
For Eastern Maine State Fair, one thousand dollars	1,000 00
For Eastern Maine State Fair, to encourage Pomology, seven hundred fifty dollars	750 00

EMERGENCY APPROPRIATIONS.

601

CHAP. 164

For promoting and assisting poultry culture, one thousand dollars	1,000 00
For protection of trees and shrubs, thirty-five thousand dollars	35,000 00
For improved method of marketing farm products, bureau of markets, thirty-five hundred dollars	3,500 00
For sealer of weights and measures, two thousand dollars	2,000 00
For Bureau of Horticulture, five thousand dollars	5,000 00
For Bureau of Inspection (analysis of food, etc.) nine thousand dollars	9,000 00
For live stock sanitary commissioner, salary, clerk hire, and to prevent contagious diseases among horses, cattle, etc., forty thousand dollars	40,000 00
For New England Fruit Show, five hundred dollars	500 00
For seed inspection, three thousand dollars	3,000 00

County Attorneys

For Androscoggin county, twelve hundred dollars	1,200 00
For Aroostook county, fifteen hundred dollars	1,500 00
For Cumberland county, seventeen hundred dollars	1,700 00
For Franklin county, five hundred dollars	500 00
For Hancock county, seven hundred fifty dollars	750 00
For Kennebec county, fourteen hundred dollars	1,400 00
For Knox county, seven hundred dollars	700 00
For Lincoln county, five hundred dollars	500 00
For Oxford county, nine hundred dollars	900 00
For Penobscot county, fifteen hundred dollars	1,500 00
For Piscataquis county, six hundred dollars	600 00
For Sagadahoc county, six hundred dollars	600 00
For Somerset county, eight hundred fifty dollars	850 00
For Waldo county, five hundred dollars	500 00
For Washington county, nine hundred dollars	900 00
For York county, twelve hundred dollars	1,200 00
For assistant county attorney, Cumberland county, nine hundred dollars	900 00

Department of Labor and Industry

For salary of commissioner, two thousand dollars	2,000 00
For salary of deputy commissioner, eighteen hundred dollars	1,800 00
For salary of stenographer, seven hundred dollars	700 00
For woman factory inspector, salary and traveling expenses, for four agents, extra clerk hire in office, printing, postage, and all incidental expenses necessary to carry out the work of this department, six thousand dollars	6,000 00

## CHAP. 164

## Executive Department

For salary of governor, five thousand dollars	5,000 00
For salary of private secretary, eighteen hundred dollars	1,800 00
For salary of stenographer, one thousand dollars	1,000 00
For salary of messenger to the governor and council, two thousand dollars	2,000 00
For pay roll of council, seven thousand two hundred dollars	7,200 00
For visiting committee to Insane Hospital, six hundred dollars	600 00
For visiting committee to State School for Boys, two hundred fifty dollars	250 00
For contingent fund of the governor and council, ten thousand dollars	10,000 00
For postage, stationery and office supplies, etc., three thousand two hundred dollars	3,200 00
For examination and commitment of insane state beneficiaries, five hundred dollars	500 00
For salary of pension clerk, fourteen hundred dollars	1,400 00
For stenographer and clerk hire in pension office, fifteen hundred dollars	1,500 00
For salary of superintendent of public printing, fifteen hundred dollars	1,500 00
For clerk to advisory board in matter of paroles, three hundred dollars	300 00
For pension of soldiers and sailors, widows, orphans and other dependents of soldiers and sailors, one hundred forty thousand dollars	140,000 00
For support of paupers, one hundred ten thousand dollars	110,000 00
For support of needy blind residents of Maine, forty thousand dollars	40,000 00
For education of blind, nine thousand five hundred dollars	9,500 00
For burial expenses of soldiers and sailors and widows of soldiers and sailors, seven thousand dollars	7,000 00
For interest on Sanford legacy for deaf, dumb and blind, thirty-six dollars	36 00
For expense of delegates to conference of National Tax association, four hundred dollars	400 00
For expense in pardon hearings, requisitions and rewards, three hundred dollars	300 00
For veterans of the Civil War in employ of the State, two thousand seven hundred and fifty dollars	2,750 00
For retirement pay of Frederick Brown, four hundred dollars	400 00
For conference for promotion of uniform legislation, five hundred dollars	500 00
For Fort William Henry, salary, three hundred dollars	300 00
For state aid for dependent mothers, ten thousand dollars	10,000 00



**EMERGENCY APPROPRIATIONS.**

603.

**CHAP. 164****Industrial Accident Commission**

For salaries of commissioners, three thousand five hundred dollars	3,500 00
For salary of secretary, fifteen hundred dollars	1,500 00
For administration, traveling expenses, etc., fifteen thousand dollars	15,000 00

**Inspectors of State Prison and Jails**

For per diem and expenses, fifteen hundred dollars	1,500 00
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**Inspectors of Steam Vessels**

For per diem and expenses, four thousand dollars	4,000 00
For aid of navigation on Moosehead lake, five hundred dollars	500 00

**Inland Fish and Game Commission**

For salary of chairman and one associate commissioner, two thousand seven hundred fifty dollars	2,750 00
For salary of clerk, twelve hundred dollars	1,200 00
For fish hatcheries and feeding stations, etc., one hundred thousand dollars	100,000 00

**Insurance Commissioner**

For salary of commissioner, twenty-five hundred dollars	2,500 00
For salary of deputy commissioner, eighteen hundred dollars	1,800 00
For clerk hire, stationery, office supplies, etc., seven thousand six hundred dollars	7,600 00
For investigation of causes of fire, one thousand five hundred dollars	1,500 00

**Land Agent and Forest Commissioner**

For salary of land agent and forest commissioner, two thousand dollars	2,000 00
For salary of deputy, eighteen hundred dollars	1,800 00
For traveling expenses of land agent, seven hundred dollars	700 00
For stationery and office supplies, clerk hire, etc., one thousand five hundred fifty dollars	1,550 00
For retracing and defining lines, two hundred fifty dollars	250 00
For Maine Forestry District (non-expense, revenue provided by Maine Forestry District tax), seventy-five thousand dollars	75,000 00

**Maine State Library**

For salary of librarian, twenty-five hundred dollars	2,500 00
For salary of assistant, twelve hundred dollars	1,200 00

**CHAP. 164**

For maintenance, increase and general expenses, fourteen thousand dollars	14,000 00
For donations for founding free public libraries, three hundred dollars	300 00
For traveling libraries, four thousand five hundred dollars	4,500 00
For traveling libraries for high schools, five hundred dollars	500 00

**Passamaquoddy Tribe of Indians**

For all general expenses of the tribe, sixteen thousand nine hundred fifty-seven dollars and eighty-six cents	16,957 86
For repair on church at Peter Dana's Point, for its completion, two thousand five hundred dollars	2,500 00

**Penobscot Tribe of Indians**

For all general expenses of the tribe, eighteen thousand seven hundred seventy-four dollars and fifty-five cents	18,774 55
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**Public Utilities Commission**

For salary of commissioners, fourteen thousand dollars	14,000 00
For salaries of clerk and assistant clerk, four thousand dollars	4,000 00
For water power investigation, five thousand dollars	5,000 00
For purchase of books, maps, stationery, clerk hire and general office supplies, thirty-five thousand dollars,	35,000 00
For grade crossings, fifteen thousand dollars	15,000 00
For co-operative work with United States Geological Survey, five thousand dollars	5,000 00

**Sea and Shore Fisheries**

For salary of commissioner, two thousand dollars	2,000 00
For expenses of wardens and commissioner, ten thousand dollars	10,000 00
For protection of lobsters with eggs attached, five thousand dollars	5,000 00
For purchasing for liberation, five thousand dollars	5,000 00
For patrol boats, six thousand dollars	6,000 00
For printing and binding, compiling and indexing laws relating to sea and shore fisheries, two hundred dollars	200 00

**Secretary of State**

For salary of secretary, three thousand dollars	3,000 00
For salary of deputy, eighteen hundred dollars	1,800 00
For salaries of clerks, nine thousand dollars	9,000 00
For advertising franchise tax due from corporations, five hundred dollars	500 00
For purchase of vital records, five hundred dollars	500 00

**EMERGENCY APPROPRIATIONS.****605****CHAP. 164**

For stationery, office supplies, printing, telephone, express, etc., three thousand five hundred dollars	3,500 00
For advertising laws, seven thousand dollars	7,000 00
For special election, six thousand dollars	6,000 00
For publication of Grand Army records, one hundred seventy-five dollars.	175 00

**State Auditor**

For salary of state auditor, two thousand five hundred dollars	2,500 00
For clerk hire, ten thousand five hundred dollars	10,500 00
For stationery, office supplies, etc., fifteen hundred dollars	1,500 00
For special auditors, two thousand dollars	2,000 00
For traveling expenses of auditor and special auditors, six hundred dollars	600 00
For filing cases, five hundred dollars	500 00
For printing and binding report, biennial, eight hundred dollars	800 00

**State Board of Arbitration and Conciliation**

For per diem and expenses, four hundred dollars	400 00
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**State Board of Charities and Corrections**

For expenses, eight thousand dollars	8,000 00
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**State Board of Health**

For contingent expenses, seven thousand dollars	7,000 00
For registration of vital statistics, three thousand dollars	3,000 00
For state laboratory of hygiene, six thousand five hundred dollars	6,500 00
For printing and binding, two thousand dollars	2,000 00
For epidemic or emergency fund, two thousand dollars	2,000 00

**State Highway Commission**

For improvement of state and market roads, three hundred thousand dollars	300,000 00
For state aid in construction of bridges, one hundred thousand dollars,	100,000 00
For state highway loan funds, two hundred thousand dollars	200,000 00
For maintenance of state and state aid roads including salaries of commissioners, chief engineers, assistants, clerk hire, office supplies, auto plates, and administration expenses, two hundred sixty thousand dollars	260,000 00
For federal aid for state highways, one hundred forty-five thousand, three hundred fifty-four dollars and fifty cents	145,354 50

**CHAP. 164**

For interest on bonds, sixty-seven thousand eight hundred eighty dollars	67,880 00
For retirement of bonds, fifty-four thousand dollars	54,000 00
For Indian township, for repair of roads and bridges, four thousand dollars	4,000 00
For Alexander-Princeton, repair of roads, six hundred dollars	600 00
For Edgecomb-Boothbay, repair of roads, sixteen thousand dollars	16,000 00
For Austin Stream, Bingham, repair of roads, twenty-five hundred dollars	2,500 00
For Camden-Lincolnvile, repair of roads, sixteen hundred dollars	1,600 00
For Ripley, repair of roads, one thousand dollars	1,000 00
For Charlotte, repair of roads, six hundred dollars	600 00
For Trescott, repair of roads, five hundred dollars	500 00
For Gray-New Gloucester-Pownal, repair of roads, two thousand dollars	2,000 00
For Marshfield-Whitneyville, repair of roads, two thousand dollars	2,000 00
For Wesley, repairs of roads, seven hundred fifty dollars	750 00
For Otisfield, repair of roads, two thousand dollars	2,000 00
For Union, repair of roads, two thousand dollars	2,000 00
For Townships No. 9 and 10, Hancock county, repair of roads, one thousand dollars	1,000 00
For New Portland, repair of roads, seven hundred fifty dollars	750 00
For Warren, repair of roads, two thousand dollars	2,000 00
For Township No. 14, Washington county, repair of roads, seven hundred fifty dollars	750 00
For Addison, repair of roads, five thousand dollars	5,000 00
For Prentiss, repair of roads, one thousand dollars	1,000 00
For Upton, repair of roads, five hundred dollars	500 00
For Southwest Harbor, repair of roads, one thousand five hundred dollars	1,500 00
For Perry, repair of roads, fifteen hundred dollars	1,500 00
For Brooks, repair of roads, six hundred dollars	600 00
For Orland, repair of roads, fifteen hundred dollars	1,500 00
For Glenburn, repair of roads, five hundred dollars	500 00
For Corinth, repair of roads, five hundred dollars	500 00
For Charleston, repair of roads, fifteen hundred dollars	1,500 00
For Wallagrass-New Canada, repair of roads, one thousand dollars	1,000 00
For Washington-Perkins Plantations, repair of roads, one thousand dollars	1,000 00
For Chesterville-New Sharon, repair of roads, one thousand dollars	1,000 00
For Carthage, repair of roads, five hundred dollars	500 00
For Jerusalem-Crocker, repair of roads, one thousand dollars	1,000 00

## CHAP. 164

For Dallas Plantation, repair of roads, five hundred dollars	500 00
For Dixfield, repair of roads, five hundred dollars	500 00
For New Canada, to build, five hundred dollars	500 00
For Orneville, repair of roads, seven hundred fifty dollars	750 00
For Wells, North Berwick, Berwick, repair of roads, three thousand dollars	3,000 00
For Merrymeeting Bay Ferry, to aid, one thousand dollars	1,000 00
For Penobscot, repair of road, one thousand dollars,	1,000 00
For Jonesboro, repair of roads, seven hundred fifty dollars	750 00
For Unity, repair of roads, one thousand dollars	1,000 00
For Millinocket, repair of roads, two thousand dollars	2,000 00
For Sidney, repair of roads, one thousand dollars	1,000 00
For Rome, repair of roads, seven hundred dollars	700 00
For Machiasport, repair of roads, five hundred dollars	500 00
For Hebron, repair of roads, five hundred dollars	500 00
For Etna, repair of roads, one thousand dollars	1,000 00
For Medford, repair of roads, seven hundred and fifty dollars	750 00
Geo. H. Buck and others, claim for labor, three hundred fifty-nine dollars and forty-one cents	359 41
For No. Yarmouth Academy Grant, repair of roads, one thousand dollars	1,000 00
For Franklin-Hancock, repair of roads, five hundred dollars	500 00
For Winn, repair of roads, one thousand dollars	1,000 00
For Plantation No. 33, Hancock county, repair of roads, forty-three dollars	43 00
For Newburg, repair of roads, one thousand dollars	1,000 00
For Exeter, repair of roads, one thousand dollars	1,000 00
For Hibberts Gore, repair of roads, four hundred dollars	400 00
For Carmel, repair of roads, one thousand dollars	1,000 00
For Murray Bros. Co., Bangor, claim for stumpage, on lots, four thousand dollars	4,000 00
For Atkinson, repair on roads, eight hundred dollars	800 00
For Reed Plantation, repair of roads, three thousand dollars	3,000 00
For Bucksport, repair of roads, one thousand dollars	1,000 00
For Limington, repair of roads, five hundred dollars	500 00
For defence of suit at law, S. H. C., seven hundred fifty dollars	750 00
For Bath-Woolwich ferry, to aid, thirty thousand dollars	30,000 00
For Twp. 31, Washington Co., repair on bridges, six hundred dollars	600 00
For Frankfort, reimbursement, five hundred dollars	500 00
For Calais, international bridge repairs, fifteen hundred dollars	1,500 00
For Mt. Desert toll bridge, to free, six thousand five hundred dollars	6,500 00
For Gardiner-Randolph bridge, repairs, two thousand dollars	2,000 00

**CHAP. 164**

For Higgins brook, Harmony, reimbursement, five hundred fifty dollars	550 00
For Mattawamkeag, bridge repairs, two thousand dollars	2,000 00
For Dennysville, Wilson stream bridge, reimbursement, three hundred fifty dollars	350 00
For Brownville, reimbursement, two thousand six hundred dollars	2,600 00
For Morse's Cove bridge, Penobscot-Castine, five hundred dollars	500 00
For Passadumkeag stream bridge, repairs, seven hundred fifty dollars	750 00
For Anson-Madison bridge, repair and free, five thousand dollars	5,000 00
For Mexico-Rumford toll bridge, to free, three thousand dollars	3,000 00
For Webster Plantation, to build bridge, one thousand dollars	1,000 00

**State Historian**

For expenses of department, five hundred dollars	500 00
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**State Superintendent of Public Schools**

For salary of superintendent, four thousand dollars	4,000 00
For salary of deputy, eighteen hundred dollars	1,800 00
For traveling expenses of superintendent, six hundred dollars	600 00
For traveling expenses of deputy, two hundred dollars	200 00
For clerk hire, two thousand six hundred dollars	2,600 00
For printing and binding, etc., four thousand five hundred dollars	4,500 00
For teachers' meetings, fifteen hundred dollars	1,500 00
For interest on Madawaska Territory school fund, three hundred dollars	300 00
For Cecil John Rhodes scholarship, one hundred dollars	100 00
For aid to academies, twenty-six thousand dollars	26,000 00
For plans for school buildings, two hundred dollars	200 00
For free high schools, one hundred forty-five thousand dollars	145,000 00
For superintendence of towns comprising school union, ninety thousand dollars	90,000 00
For normal schools and training school, one hundred and ten thousand dollars	110,000 00
For industrial education, sixty-four thousand dollars	64,000 00
For equalization fund, fifty thousand dollars	50,000 00
For pensions for retired teachers, twenty-seven thousand dollars	27,000 00
For Hebron academy, sixty dollars	60 00
For Foxcroft academy, sixty dollars	60 00

EMERGENCY APPROPRIATIONS.

609

CHAP. 164

For Houlton academy, one hundred twenty dollars	120 00
For school district No. 2, Madison, fifty dollars	50 00
For schooling of children in unorganized townships, twenty-seven thousand five hundred dollars	27,500 00
For insurance on normal school buildings, two thousand dollars	2,000 00
For summer schools and distribution of educational documents, three thousand five hundred dollars	3,500 00
For state certification of teachers, one thousand dollars	1,000 00
For postage, stationery and office supplies, three thousand two hundred dollars	3,200 00
For school and mill fund, seven hundred twenty-seven thousand four hundred eighty-two dollars and fifty cents	727,482 50
For common school fund, seven hundred eighty-two thousand one hundred four dollars and forty cents	782,104 40
For Lee academy, two thousand dollars	2,000 00
For St. Joseph's academy, fifteen hundred dollars	1,500 00
For Van Buren College, one thousand dollars	1,000 00
For Higgins Classical academy, one thousand dollars	1,000 00
For North Yarmouth academy, five hundred dollars	500 00
For Nasson Institute, twenty-five hundred dollars	2,500 00
For Litchfield academy, five hundred dollars	500 00
For Farmington State Normal school, repairs and permanent improvements, five hundred dollars	500 00
For Western State Normal school, repairs and permanent improvements, five hundred dollars	500 00
For Washington State Normal school, O'Brien house, repairs and new road, five hundred dollars	500 00
For Eastern State Normal school, repairs and permanent improvements, five hundred dollars	500 00
For Aroostook State Normal school, new school building, twenty thousand dollars	20,000 00
For Aroostook State Normal school, permanent improvements and repairs, five hundred dollars	500 00
For Madawaska Training school, finishing and furnishing boys' dormitory, four thousand dollars	4,000 00
For Madawaska Training school, laboratory supplies and teaching equipments, five hundred dollars	500 00

Superintendent of Public Buildings

For salary of superintendent, fifteen hundred dollars	1,500 00
For furniture and repairs, five thousand dollars	5,000 00
For fuel and lights, eight thousand five hundred dollars	8,500 00
For water for state house, fifteen hundred dollars	1,500 00
For porters and laborers, fourteen thousand one hundred dollars	14,100 00
For night watch, three thousand dollars	3,000 00
For freight and trucking, one thousand dollars	1,000 00
For general expenses, fifteen hundred dollars	1,500 00

## CHAP. 164

**Superior Courts**

For salary of justice Cumberland county, four thousand dollars	4,000 00
For salary of justice Kennebec county, three thousand five hundred dollars	3,500 00
For expenses of justice Kennebec county, two hundred dollars	200 00

**Supreme Judicial Court**

For salaries of eight justices, forty thousand dollars	40,000 00
For salary of reporter of decisions, twenty-five hundred dollars	2,500 00
For salaries of eight stenographers to justices, twelve thousand dollars	12,000 00
For salaries of the retired justices of the supreme court, five thousand dollars	5,000 00
For expenses of law courts, fifteen hundred dollars	1,500 00
For clerks of law courts, one thousand dollars	1,000 00
For expenses of justices, thirty-five hundred dollars	3,500 00
For stationery, postage, express and telephone tolls, six hundred dollars	600 00
For reports of judicial decisions, three thousand two hundred dollars	3,200 00

**Treasurer of State**

For salary of treasurer, two thousand dollars	2,000 00
For salaries of clerks, six thousand six hundred dollars	6,600 00
For postage, stationery, office supplies, freight, express, telephone, telegraph and other incidental expenses of the office, three thousand dollars	3,000 00
For premium on bonds for treasurer of state, and clerks, six hundred fifty dollars	650 00
For printing of report, blank forms, blank books, binding, ruling, etc., fifteen hundred dollars	1,500 00
For interest on bonded debt and temporary loan, twelve thousand dollars	12,000 00
For advertising land sale and tax acts, four thousand five hundred dollars	4,500 00
For abatements and correction of errors in tax act, five hundred dollars	500 00
For payment of fees to town clerks, fifty dollars	50 00
For damage by dogs and wild animals, to domestic animals, twenty thousand dollars	20,000 00
For interest on lands reserved for public uses, twenty-five thousand dollars	25,000 00
For railroad and telegraph tax, two hundred twenty-five thousand dollars	225,000 00



## EMERGENCY APPROPRIATIONS.

611

**CHAP. 164**

For temporary loan, three hundred thousand dollars	300,000 00
For tax commissioner, twelve hundred and fifty dollars	1,250 00

**Trustees**

For per diem and expenses of hospital trustees, three thousand five hundred dollars	3,500 00
For per diem and expenses of trustees of juvenile institutions, twelve hundred dollars	1,200 00
For per diem and expenses of normal schools and training school, fifteen hundred dollars	1,500 00
For traveling and other expenses of trustees of University of Maine, four hundred dollars	400 00

**Auditor's Estimates**

For legislative department; printing, thirty-four thousand nine hundred ten dollars	34,910 00
For legislative binding, six thousand five hundred dollars	6,500 00
For books, stationery, etc., three thousand dollars	3,000 00
For contingent expenses of the legislature, twenty-three thousand dollars	23,000 00
For contingent expenses committees, nine thousand dollars	9,000 00
For Senate pay roll, eighteen thousand seven hundred fifty dollars	18,750 00
For journal of Senate, three hundred dollars	300 00
For pay roll of House, seventy-one thousand dollars	71,000 00
For journal of House, three hundred dollars	300 00
For representative of Passamaquoddy tribe of Indians, one hundred twenty dollars	120 00
For representative Penobscot tribe of Indians, one hundred twenty dollars	120 00
For town of Old Orchard, three thousand dollars	3,000 00
For property exempt from taxation, two thousand dollars	2,000 00
For inquests and incidental expenses, six hundred dollars	600 00

**Augusta State Hospital**

For maintenance and support of insane state beneficiaries, including salaries of officers and employees, fuel, lights, etc., three hundred fifteen thousand, two hundred thirty-three dollars	315,233 00
For Gilman and Williams legacy, and Robie fund, two hundred thirty dollars	230 00
For construction; psychopathic building designed and equipped especially for the reception and treatment of new cases with accommodations for two hundred patients, twenty-five thousand dollars	25,000 00

## CHAP. 164

**Bangor State Hospital**

For maintenance and support of insane state beneficiaries, including the salaries of officers and employees, fuel, light, etc., two hundred six thousand, three hundred dollars	206,300 00
For Robie amusement fund, one hundred forty dollars	140 00
For changing over heating system, six thousand dollars	6,000 00
For sleeping rooms, night nurses, twenty-five hundred dollars	2,500 00

**Bath Military and Naval Orphan Asylum**

For maintenance, including salaries, provisions, supplies, groceries, heat, light, power, etc., twelve thousand seven hundred twenty-five dollars	12,725 00
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**Maine School for the Deaf**

For maintenance, including salaries, fuel, groceries, repairs, etc., thirty-one thousand three hundred forty-four dollars and thirty cents	31,344 30
For permanent repairs and improvements on Winslow Hall, fifteen hundred dollars	1,500 00

**Maine School for Feeble Minded**

For maintenance for the support of state charges, including board and clothing, medical attendance, salaries, etc., seventy-four thousand seven hundred sixty-five dollars	74,765 00
For construction of central heating and power plant, twenty-five thousand dollars	25,000 00

**Maine State Prison**

For salary of warden, twenty-seven hundred fifty dollars	2,750 00
For salaries of subordinate officers, twenty-one thousand seven hundred dollars	21,700 00
For school, fifty dollars	50 00
For books for library, fifty dollars	50 00
For medicine and operations, one hundred fifty dollars	150 00
For water supply, twenty-two hundred dollars	2,200 00
For printing and binding reports, two hundred dollars	200 00
For criminal insane, two hundred dollars	200 00
For sacred concerts, one hundred dollars	100 00
For chaplain for Catholic inmates, three hundred dollars	300 00
For maintenance to help pay salaries, not included in salaries of officers, and other incidental expenses that are unprovided for by the state, ten thousand dollars	10,000 00
For retiring and pensioning prison officials, two thousand six hundred dollars	2,600 00

**State Reformatory for Women**

<b>F</b> or maintenance, including salaries, foods, clothing, heat, light, power, etc., thirteen thousand four hundred thirty-five dollars	13,435 00
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**State Sanatoriums**

For maintenance of Central Maine sanatorium, including Bangor, twenty-eight thousand dollars	28,000 00
For maintenance Western Maine sanatorium, seventy-eight thousand, three hundred twenty-five dollars	78,325 00
For sewerage tanks Western Maine sanatorium, twenty-five hundred dollars	2,500 00
For sewerage and water main Central Maine sanatorium, six thousand dollars	6,000 00
For three new pavilions for Central Maine sanatorium, twenty thousand dollars	20,000 00
For hen-house for Western Maine sanatorium, one thousand dollars	1,000 00

**State School for Boys**

For maintenance including salaries, groceries, fuel, light, etc., sixty thousand dollars	60,000 00
For interest Isaac Sanford legacy, forty-two dollars	42 00

**State School for Girls**

For maintenance, including salaries, groceries, fuel, dry goods, repairs, etc., thirty-eight thousand three hundred forty dollars and ninety-six cents	38,340 96
For new water system, two thousand dollars	2,000 00
For proposed central building, twenty thousand dollars	20,000 00
For interest on trust funds, five hundred forty dollars and ninety-six cents	540 96

**University of Maine**

For maintenance, one hundred twenty-seven thousand five hundred dollars	127,500 00
For co-operative agricultural work, eleven thousand seven hundred two dollars and eight cents	11,702 08
For animal husbandry, five thousand dollars	5,000 00
For scientific investigation in agriculture in Aroostook county, five thousand dollars	5,000 00
For instruction in forestry, five thousand dollars	5,000 00
For new dairy building, ten thousand dollars	10,000 00

## CHAP. 164

**Charitable, Benevolent and Educational Institutions**

For the care, support and education of dependent children  
in or by the following institutions or organizations:

Children's Aid Society, Belfast, one thousand six hundred dollars	1,600 00
Children's Heart Work Society, Portland, seven hundred fifty dollars	750 00
Children's Protective Society, Portland, eight hundred dollars	800 00
Eastern Maine Orphans' Home, one thousand dollars	1,000 00
Girls' Orphanage, two thousand five hundred dollars	2,500 00
Good Samaritan Home, two thousand five hundred dollars	2,500 00
Healy Asylum, Lewiston, four thousand five hundred dollars	4,500 00
Holy Innocents' Home for Infants, Portland, two thousand dollars	2,000 00
Lewiston and Auburn Children's Home, seven hundred fifty dollars	750 00
Maine Children's Home Society, Augusta, fifteen hundred dollars	1,500 00
Maine Home for Friendless Boys, Portland, fifteen hundred dollars	1,500 00
St. Elizabeth's Roman Catholic Orphan Asylum, Portland, twenty-five hundred dollars	2,500 00
Temporary Home for Women and Children, Portland, twenty-five hundred dollars	2,500 00
W. C. T. U. Temporary Home for Children, Gardiner, seven hundred fifty dollars	750 00
York County Children's Aid Society, Saco, seven hundred fifty dollars	750 00
For the care, support and medical or surgical treatment of indigent persons by certain hospitals, namely:	
Augusta General Hospital, Augusta, six thousand five hundred dollars	6,500 00
Bar Harbor Medical and Surgical Hospital, two thousand dollars	2,000 00
Bath City Hospital, twenty-two hundred and fifty dollars	2,250 00
Central Maine General Hospital, Lewiston, eight thousand dollars	8,000 00
Children's Hospital, Portland, twenty-seven thousand five hundred dollars	27,500 00
Daughters of Wisdom, St. Agatha, five hundred dollars	500 00
Eastern Maine General Hospital, Bangor, eight thousand dollars	8,000 00
Hospital of Young Men's Christian Association, Greenville, twelve hundred dollars	1,200 00
Knox County General Hospital, Rockland, one thousand five hundred dollars	1,500 00
Madigan Memorial Hospital, Houlton, one thousand dollars	1,000 00
Maine Eye and Ear Infirmary, Portland, three thousand five hundred dollars	3,500 00

Maine General Hospital, Portland, seven thousand five hundred dollars	7,500 00
Northern Maine General Hospital, Eagle Lake, two thousand dollars	2,000 00
Presque Isle General Hospital, Presque Isle, seven hundred fifty dollars	750 00
Rumford Hospital Association, Rumford, seven hundred fifty dollars	750 00
St. Mary's General Hospital, Lewiston, eight thousand dollars	8,000 00
Somerset Hospital, Skowhegan, five hundred dollars	500 00
Waldo County General Hospital, Belfast, one thousand dollars	1,000 00
Webber Hospital, Biddeford, four thousand seven hundred fifty dollars	4,750 00
York Hospital, York, twelve hundred dollars	1,200 00
Old Town Hospital, Old Town, one thousand dollars	1,000 00
For education of the adult blind in order that they may become self-supporting:	
Maine Institute for the Blind, Portland, fourteen thousand dollars	14,000 00
For the care and support of indigent deaf persons:	
Maine Mission for the Deaf, Bangor, two hundred dollars	200 00
For the purpose of maintaining a home and reading-room for working women:	
Women's Christian Association, Lewiston, for Hayes' Young Women's Home, one thousand dollars	1,000 00

### Specials

Central Maine Association, for the relief and control of tuberculosis, for payment of debt, six thousand six hundred sixty-three dollars and seventy-two cents	6,663 72
People's Ferry Company, Bath, two thousand dollars	2,000 00

Amounting to the sum of six million, seven hundred nineteen thousand, one hundred and forty-one dollars and sixty-six cents 6,719,141 66

**Sec. 2. Date when effective.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 6, 1917.

## Chapter 165.

An Act to appropriate moneys for the expenditures of the Government for the Year One Thousand Nine Hundred and Eighteen.

*Be it enacted by the People of the State of Maine, as follows:*

**Appropriations.** In order to provide for the several acts and resolves of the legislature requiring the payment of money from the state treasury, and also to provide in part for the necessary expenditures of government for the current fiscal year one thousand nine hundred eighteen, the following sums are hereby appropriated out of any moneys in the state treasury, and, except where otherwise specially provided, the governor with the advice and consent of the council is hereby authorized at any time prior to the first day of July, one thousand nine hundred nineteen, to draw his warrant on the state treasurer for the same.

### Adjutant General's Department

For salary of adjutant general, two thousand dollars	\$2,000 00
For stationery and office supplies, three thousand dollars	3,000 00
For clerk hire, sixteen hundred dollars	1,600 00
For military fund, forty-five thousand dollars	45,000 00
For armory rentals, fifteen thousand dollars	15,000 00
For steel lockers for National Guard armories, five thousand dollars	5,000 00

### Attorney General's Department

For salary of the attorney general, four thousand dollars	4,000 00
For salary of assistant attorney general, two thousand dollars	2,000 00
For expenses of attorney general and clerk hire, fifteen hundred dollars	1,500 00
For printing and binding, fifteen hundred dollars	1,500 00
For arrest and apprehension of criminals, seven thousand five hundred dollars	7,500 00

### Bank Commissioner's Department

For salary of bank commissioner, two thousand five hundred dollars	2,500 00
For salary of clerks, five thousand four hundred and fifty dollars	5,450 00
For traveling expenses of commissioner and deputies, two thousand three hundred dollars	2,300 00
For printing annual report, stationery and office expenses, three thousand dollars	3,000 00
For verification of savings deposits, traveling expenses, stationery, clerk hire, etc., fifteen hundred dollars	1,500 00

**Board of State Assessors**

For salary of board, six thousand dollars	6,000 00
For salary of clerk, fifteen hundred dollars	1,500 00
For salary of additional clerk, one thousand dollars	1,000 00
For stationery and office supplies, including printing of annual report, binding, and salary of stenographer, three thousand five hundred dollars	3,500 00
For ascertaining value of wild lands, five thousand dollars	5,000 00
For traveling expenses, fifteen hundred dollars	1,500 00

**Commissioner of Agriculture**

For salary of commissioner, two thousand dollars	2,000 00
For clerk hire, one thousand dollars	1,000 00
For traveling expenses, five hundred dollars	500 00
For agricultural statistics, three thousand dollars	3,000 00
For printing report, blank forms, etc., six thousand seven hundred dollars	6,700 00
For improving and protecting animal industry, five thousand dollars	5,000 00
For farmers' institutes and dairymen's conference, three thousand dollars	3,000 00
For aid to agricultural societies, fourteen thousand eight hundred forty-seven dollars and forty-two cents	14,847 42
For Maine Seed Improvement association, one thousand dollars	1,000 00
For packing and shipping apples, three thousand dollars	3,000 00
For Maine State Pomological society, two thousand dollars	2,000 00
For Central Maine Fair company, two thousand five hundred dollars	2,500 00
For Maine State Agricultural society, two thousand five hundred dollars	2,500 00
For Eastern Maine State fair, one thousand dollars	1,000 00
For Eastern Maine State fair to encourage pomology, seven hundred fifty dollars	750 00
For promoting and assisting poultry culture, one thousand dollars	1,000 00
For protection of trees and shrubs, thirty-five thousand dollars	35,000 00
For improved method of marketing farm products, bureau of markets, thirty-five hundred dollars	3,500 00
For sealer of weights and measures, two thousand dollars	2,000 00
For Bureau of Horticulture, five thousand dollars	5,000 00
For Bureau of Inspection, (analysis of foods, etc.) nine thousand dollars	9,000 00
For Live Stock Sanitary commissioner, salary, clerk hire, and to prevent contagious diseases among cattle, etc., forty thousand dollars	40,000 00
For seed inspection, three thousand dollars	3,000 00

## CHAP. 165

## County Attorneys

Androscoggin county, twelve hundred dollars	1,200 00
Aroostook county, fifteen hundred dollars	1,500 00
Cumberland county, seventeen hundred dollars	1,700 00
Franklin county, five hundred dollars	500 00
Hancock county, seven hundred fifty dollars	750 00
Kennebec county, fourteen hundred dollars	1,400 00
Knox county, seven hundred dollars	700 00
Lincoln county, five hundred dollars	500 00
Oxford county, nine hundred dollars	900 00
Penobscot county, fifteen hundred dollars	1,500 00
Piscataquis county, six hundred dollars	600 00
Sagadahoc county, six hundred dollars	600 00
Somerset county, eight hundred fifty dollars	850 00
Waldo county, five hundred dollars	500 00
Washington county, nine hundred dollars	900 00
York county, twelve hundred dollars	1,200 00
Assistant county attorney, Cumberland county, nine hundred dollars	900 00
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	\$16,200 00

## Department of Labor and Industry

For salary of commissioner, two thousand dollars	2,000 00
For salary of deputy commissioner, eighteen hundred dollars	1,800 00
For salary of stenographer, seven hundred dollars	700 00
For woman factory inspector, salary and traveling expenses of four agents, extra clerk hire in office, printing, postage, and all incidentals necessary to carry out the work of this department, six thousand dollars	6,000 00

## Executive Department

For salary of governor, five thousand dollars	5,000 00
For salary of private secretary, eighteen hundred dollars	1,800 00
For salary of stenographer, one thousand dollars	1,000 00
For salary of messenger to governor and council, two thousand dollars	2,000 00
For pay roll of council, six thousand dollars	6,000 00
For visiting committee to Insane Hospital, six hundred dollars	600 00
For visiting committee to State School for boys, two hundred fifty dollars	250 00
For contingent fund of the governor and council, ten thousand dollars	10,000 00
For postage, stationery, office supplies, etc., two thousand six hundred dollars	2,600 00



## CHAP. 165

For examination and commitment of the insane state beneficiaries, five hundred dollars.	500 00
For salary of pension clerk, fourteen hundred dollars	1,400 00
For stenographer and clerk hire in pension office, fifteen hundred dollars	1,500 00
For salary of superintendent of public printing, fifteen hundred dollars	1,500 00
For clerk to advisory board in the matter of paroles, three hundred dollars	300 00
For pension of soldiers and sailors, widows, orphans, and other dependents of soldiers and sailors, one hundred forty thousand dollars	140,000 00
For support of paupers, one hundred ten-thousand dollars	110,000 00
For relief of needy blind residents of Maine, forty thousand dollars	40,000 00
For education of the blind, nine thousand five hundred dollars	9,500 00
For burial expenses of soldiers and sailors, and widows of soldiers and sailors, seven thousand dollars	7,000 00
For interest on Sanford legacy for deaf, dumb and blind, thirty-six dollars	36 00
For expenses of delegates to conference of national tax association, four hundred dollars	400 00
For expenses in pardon hearings, requisitions and rewards, three hundred dollars	300 00
For veterans of the Civil War in the employ of the state, two thousand seven hundred fifty dollars	2,750 00
For retirement pay to Frederick Brown, four hundred dollars	400 00
For conference of promotion of uniform legislation, five hundred dollars	500 00
For Fort William Henry, salary, three hundred dollars	300 00
For state aid for dependent mothers, twenty-five thousand dollars	25,000 00

**Industrial Accident Commission**

For salaries of commissioners, three thousand five hundred dollars	3,500 00
For salary of secretary, fifteen hundred dollars	1,500 00
For administration, traveling expenses, etc., fifteen thousand dollars	15,000 00

**Inspectors of State Prison and Jails**

For per diem and expenses, fifteen hundred dollars	1,500 00
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**Inspectors of Steam Vessels**

For per diem and expenses, four thousand dollars	4,000 00
For aid of navigation on Moosehead lake, five hundred dollars	500 00

**CHAP. 165****Inland Fish and Game Commission**

Salary of chairman and one associate commissioner, two thousand five hundred dollars	2,500 00
For salary of clerk, twelve hundred dollars	1,200 00
For fish hatcheries and feeding stations, etc., one hundred thousand dollars	100,000 00

**Insurance Commissioner**

For salary of commissioner, two thousand five hundred dollars	2,500 00
For salary of deputy, eighteen hundred dollars	1,800 00
For clerk hire, stationery, office supplies, etc., seven thousand six hundred dollars	7,600 00
For investigation of causes of fire, fifteen hundred dollars	1,500 00

**Land Agent and Forest Commissioner**

For salary of land agent and forest commissioner, two thousand dollars	2,000 00
For salary of deputy, eighteen hundred dollars	1,800 00
For traveling expenses of land agent, seven hundred dollars	700 00
For stationery, office supplies, clerk hire, etc., fifteen hundred fifty dollars	1,550 00
For retracing and defining lines, two hundred fifty dollars	250 00
For Maine Forestry District (non-expense, revenue provided by Maine Forestry District tax), seventy-five thousand dollars	75,000 00

**Maine State Library**

For salary of librarian, two thousand five hundred dollars	2,500 00
For salary of assistant, twelve hundred dollars	1,200 00
For maintenance, increase in general expenses, fourteen thousand dollars	14,000 00
For donations for founding free public libraries, three hundred dollars	300 00
For traveling libraries, four thousand five hundred dollars	4,500 00
For traveling libraries for high schools, five hundred dollars	500 00

**Passamaquoddy Tribe of Indians**

For general expenses of the tribe, sixteen thousand three hundred fifty-seven dollars and eighty-six cents	16,357 86
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**Penobscot Tribe of Indians**

For all general expenses of the tribe, eighteen thousand seven hundred seventy-four dollars and fifty-five cents	18,774 55
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**Public Utilities Commission**

For salaries of commissioners, fourteen thousand dollars	14,000 00
For salaries of clerk and assistant clerk, four thousand dollars	4,000 00
For water power investigation, five thousand dollars	5,000 00
For purchase of books, maps, stationery, clerk hire and general office supplies, thirty-five thousand dollars	35,000 00
For grade crossings, fifteen thousand dollars	15,000 00
For co-operative work United States Geological Survey, five thousand dollars	5,000 00

**Sea and Shore Fisheries**

For salary of commissioner, two thousand dollars	2,000 00
For expenses of wardens and commissioner, ten thousand dollars	10,000 00
For protection of lobsters with eggs attached, five thousand dollars	5,000 00
For purchasing for liberation, five thousand dollars	5,000 00
For patrol boats, five thousand five hundred dollars	5,500 00
For printing and binding, compiling and indexing laws relating to sea and shore fisheries, two hundred dollars	200 00

**Secretary of State**

For salary of secretary, three thousand dollars	3,000 00
For salary of deputy, eighteen hundred dollars	1,800 00
For salary of clerks, nine thousand dollars	9,000 00
For advertising franchise tax due from corporations, five hundred dollars	500 00
For expenses of Australian ballot (September election), nine thousand dollars	9,000 00
For expenses of primary election, twelve thousand dollars	12,000 00
For purchase of vital records, five hundred dollars	500 00
For stationery, office supplies, printing, telephone, express, etc., three thousand five hundred dollars	3,500 00
For publication of Grand Army records, one hundred seventy-five dollars	175 00

**State Auditor**

Salary of state auditor, two thousand five hundred dollars	2,500 00
For clerk hire, ten thousand five hundred dollars	10,500 00
For stationery and office supplies, etc., fifteen hundred dollars	1,500 00
For special auditors, two thousand dollars	2,000 00
For traveling expenses of auditor and special auditors, six hundred dollars	600 00
For filing cases, five hundred dollars	500 00
For printing and binding estimates of incomes and expenditures, one hundred fifty dollars	150 00

## CHAP. 165

**State Board of Arbitration and Conciliation**

For per diem and expenses, four hundred dollars	400 00
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**State Board of Charities and Corrections**

For expenses, eight thousand dollars	8,000 00
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**State Board of Health**

For contingent expenses, seven thousand dollars	7,000 00
For registration of vital statistics, three thousand dollars	3,000 00
For State Laboratory of Hygiene, six thousand five hundred dollars	6,500 00
For printing and binding, two thousand five hundred dollars	2,500 00
For epidemic or emergency fund, two thousand dollars	2,000 00

**State Highway Commission**

For improvement of state and market roads, four hundred fifty thousand dollars	450,000 00
For state aid in the construction of bridges, one hundred thousand dollars	100,000 00
For maintenance of state and state aid roads, including salaries of commissioners, chief engineers, assistants, clerk hire, office supplies, auto plates and administration expenses, three hundred ten thousand dollars	310,000 00
For construction of state highways, three hundred twenty-one thousand, four hundred two dollars and ninety-three cents	321,402 93
For federal aid for state highways, one hundred forty-six thousand, two hundred fifty dollars	146,250 00
For interest on bonds, sixty-five thousand, two hundred twenty dollars	65,220 00
For equalization fund, fifty thousand dollars	50,000 00
For retirement of bonds, seventy-nine thousand dollars	79,000 00

**State Historian**

For expenses of department, five hundred dollars	500 00
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**State Superintendent of Public Schools**

For salary of superintendent, four thousand dollars	4,000 00
For salary of deputy, eighteen hundred dollars	1,800 00
For traveling expenses of superintendent, six hundred dollars	600 00
For traveling expenses of deputy, two hundred dollars	200 00
For clerk hire, two thousand eight hundred fifty dollars	2,850 00
For printing, binding, etc., four thousand dollars	4,000 00
For teachers' meetings, fifteen hundred dollars	1,500 00

For interest on Madawaska territory school fund, three hundred dollars	300 00
For Cecil John Rhodes scholarship, one hundred dollars	100 00
For aid to academies, twenty-six thousand dollars	26,000 00
For plans for school buildings, two hundred dollars	200 00
For free high schools, one hundred forty-six thousand dollars	146,000 00
For superintendence of towns comprising school unions, ninety-four thousand dollars	94,000 00
For normal schools and training school, one hundred ten thousand dollars	110,000 00
For industrial education, sixty-four thousand dollars	64,000 00
For equalization fund, fifty thousand dollars	50,000 00
For pension for retired teachers, twenty-seven thousand dollars	27,000 00
For Hebron academy, sixty dollars	60 00
For Foxcroft academy, sixty dollars	60 00
For Houlton academy, one hundred twenty dollars	120 00
For school district No. 2, Madison, fifty dollars	50 00
For schooling of children in unorganized townships, twenty-seven thousand five hundred dollars	27,500 00
For insurance on normal school buildings, two thousand dollars	2,000 00
For summer schools, and distribution of educational documents, three thousand five hundred dollars	3,500 00
For state certification of teachers, one thousand dollars	1,000 00
For postage, stationery and office supplies, three thousand two hundred dollars	3,200 00
For school and mill fund, seven hundred eighteen thousand, three hundred four dollars and forty cents	718,304 40
For common school fund, seven hundred eighty-two thousand, one hundred four dollars and forty cents	782,104 40
For Lee academy, two thousand dollars	2,000 00
For St. Joseph's academy, fifteen hundred dollars	1,500 00
For Van Buren college, one thousand dollars	1,000 00
For Higgins Classical academy, one thousand dollars	1,000 00
For North Yarmouth academy, five hundred dollars	500 00
For Nasson Institute, twenty-five hundred dollars	2,500 00
For Litchfield academy, five hundred dollars	500 00
For Farmington State Normal school, new dormitory with equipment, twenty thousand dollars	20,000 00
For Farmington State Normal school, repairs and permanent improvements, five hundred dollars	500 00
For Western State Normal school, repairs and permanent improvements, five hundred dollars	500 00
For Western State Normal school, addition to recitation building, twenty thousand dollars	20,000 00
For Washington State Normal school, addition to main building, twenty thousand dollars	20,000 00

**CHAP. 165**

For Washington State Normal school, repairs and permanent improvements, five hundred dollars	500 00
For Eastern State Normal school gymnasium, twenty thousand dollars	20,000 00
For Eastern State Normal school, repairs and permanent improvements, five hundred dollars	500 00
For Aroostook State Normal school, new school building, thirty thousand dollars	30,000 00
For Madawaska Training school, repairs and permanent improvements, five hundred dollars	500 00

**Superintendent of Public Buildings**

For salary of superintendent, fifteen hundred dollars	1,500 00
For furniture and repairs, five thousand dollars	5,000 00
For fuel and lights, eight thousand five hundred dollars	8,500 00
For water for state house, fifteen hundred dollars	1,500 00
For porters and laborers, fourteen thousand one hundred dollars	14,100 00
For night watch, three thousand dollars	3,000 00
For freight and trucking, one thousand dollars	1,000 00
For general expenses, fifteen hundred dollars	1,500 00

**Superior Courts**

For salary of justice Cumberland county, four thousand dollars	4,000 00
For salary of justice Kennebec county, three thousand five hundred dollars	3,500 00
For expenses of justice Kennebec county, two hundred dollars	200 00

**Supreme Judicial Court**

For salaries of eight justices, forty thousand dollars	40,000 00
For salaries of reporter of decisions, twenty-five hundred dollars	2,500 00
For salaries of eight stenographers to justices, twelve thousand dollars	12,000 00
For salaries of the retired justices of the supreme court, five thousand dollars	5,000 00
For expenses of law courts, fifteen hundred dollars	1,500 00
For clerks of law courts, one thousand dollars	1,000 00
For expenses of justices, thirty-five hundred dollars	3,500 00
For stationery, postage, express and telephone, six hundred dollars	600 00
For reports of judicial decisions, three thousand two hundred dollars	3,200 00

1918 APPROPRIATIONS.

625

CHAP. 165

**Treasurer of State**

For salary of treasurer, two thousand dollars	2,000 00
For salaries of clerks, six thousand six hundred dollars	6,600 00
For postage, stationery, office supplies, freight, express, telephone, telegraph and other incidental expenses of the office, three thousand dollars	3,000 00
For premium on bonds of treasurer of state, and clerks, six hundred fifty dollars	650 00
For printing of report, blank forms, blank books, binding, ruling, etc., fifteen hundred dollars	1,500 00
For interest on bonded debt and temporary loan, twelve thousand dollars	12,000 00
For advertising land sale and tax act, four thousand five hundred dollars	4,500 00
For abatement and correction of errors in tax act, five hundred dollars	500 00
For payment of fees to town clerks, fifty dollars	50 00
For damage by dogs and wild animals, to domestic animals, twenty thousand dollars	20,000 00
For interest on lands reserved for public uses, twenty-five thousand dollars	25,000 00
For railroad and telegraph tax, two hundred twenty-five thousand dollars	225,000 00
For temporary loan, three hundred thousand dollars	300,000 00
For tax commissioner, twenty-five hundred dollars	2,500 00

**Trustees**

For per diem and expenses of hospital trustees, three thousand five hundred dollars	3,500 00
For per diem and expenses of trustees of juvenile institutions, twelve hundred dollars	1,200 00
For per diem and expenses of normal schools and training school, fifteen hundred dollars	1,500 00
For traveling and other expenses of trustees of University of Maine, four hundred dollars	400 00

**Auditor's Estimates**

For public improvements town of Old Orchard, three thousand dollars	3,000 00
For property exempt from taxation, two thousand dollars	2,000 00
For inquests and incidental expenses, six hundred dollars	600 00

**Augusta State Hospital**

For maintenance and support of insane state beneficiaries, including salaries of officers and employees, fuel, lights, etc., three hundred twenty-three thousand, seven hundred two dollars	323,702 00
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**CHAP. 165**

For Gilman and Williams legacy, and Robie fund, two hundred thirty dollars	230 00
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For new construction; psychopathic building designed and equipped especially for the reception and treatment of new cases with accommodations for two hundred patients, seventy-five thousand dollars	75,000 00
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**Bangor State Hospital**

For maintenance and support of insane state beneficiaries, including the salaries of officers and employees, supplies, lights, fuel, etc., two hundred six thousand, five hundred dollars	206,500 00
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For Robie amusement fund, one hundred forty dollars	140 00
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**Bath Military and Naval Orphan Asylum**

For maintenance, including salaries, provisions, supplies, groceries, heat, light, power, etc., fourteen thousand seven hundred twenty-five dollars	14,725 00
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**Maine School for the Deaf**

For maintenance, including salaries, fuel, groceries, repairs, etc., thirty-one thousand eight hundred sixty-two dollars and thirty cents	31,862 30
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For permanent repairs and improvements on Winslow Hall, two thousand dollars	2,000 00
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**Maine School for Feeble Minded**

For maintenance for the support of state charges, including board and clothing, medical attendance, salaries, etc., eighty thousand dollars	80,000 00
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For construction and improvement, one hundred thousand, one hundred dollars	100,100 00
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**Maine State Prison**

For salary of warden, three thousand dollars	3,000 00
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For salaries of subordinate officers, twenty-one thousand seven hundred dollars	21,700 00
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For school, fifty dollars	50 00
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For books for library, fifty dollars	50 00
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For medicine and operations, one hundred fifty dollars	150 00
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For water supply, two thousand two hundred dollars	2,200 00
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For printing and binding reports, two hundred dollars	200 00
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For criminal insane, two hundred dollars	200 00
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For sacred concerts, one hundred dollars	100 00
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For chaplain for Catholic inmates, three hundred dollars	300 00
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1918 APPROPRIATIONS.

627

CHAP. 165

For retiring and pensioning prison officials, two thousand six hundred dollars	2,600 00
For maintenance to help pay salaries, not included in salaries of officers, and other incidental expenses that are unprovided for by the state, ten thousand dollars	10,000 00

State Reformatory for Women

For maintenance including salaries, foods, clothing, heat, light, power, etc., fifteen thousand one hundred twenty-five dollars	15,125 00
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State Sanatoriums

For Central Maine sanatorium, including Bangor, sixty-three thousand five hundred dollars	63,500 00
For maintenance Western Maine sanatorium, seventy-eight thousand, three hundred twenty-five dollars	78,325 00
For remodeling Chase building Central Maine sanatorium, seven thousand five hundred dollars	7,500 00
For equipment remodeled Chase building Central Maine sanatorium, seven thousand dollars	7,000 00
For three new pavilions at Central Maine sanatorium, twenty thousand dollars	20,000 00

State School for Boys

For maintenance, including salaries, groceries, fuel, light, etc., sixty thousand dollars	60,000 00
For interest Isaac Sanford legacy, forty-two dollars	42 00

State School for Girls

For maintenance, including salaries, fuel, groceries, dry goods, repairs, etc., thirty-eight thousand three hundred forty dollars and ninety-six cents	38,340 96
For interest on trust funds, five hundred forty dollars and ninety-six cents	540 96
For proposed central building, forty thousand dollars	40,000 00

University of Maine

For maintenance, one hundred twenty-seven thousand five hundred dollars	127,500 00
For co-operative agricultural work, fifteen thousand three hundred fifty-eight dollars and ninety-eight cents	15,358 98
For animal husbandry, five thousand dollars	5,000 00
For scientific investigation in agriculture in Aroostook county, five thousand dollars	5,000 00
For instruction in forestry, five thousand dollars	5,000 00
For dairy building, fifteen thousand dollars	15,000 00
New administration building, twenty thousand dollars	20,000 00

## CHAP. 165

## Charitable, Benevolent and Educational Institutions

For the care, support and education of dependent children  
in or by the following institutions or organizations:

Children's Aid Society, Belfast, sixteen hundred dollars	1,600 00
Children's Heart Work Society, Portland, seven hundred fifty dollars	750 00
Children's Protective Society, Portland, eight hundred dol- lars	800 00
Eastern Maine Orphans' Home, Bangor, one thousand dol- lars	1,000 00
Girls' Orphanage, Lewiston, two thousand five hundred dollars	2,500 00
Good Samaritan Home, Bangor, two thousand five hundred dollars	2,500 00
Healy Asylum, Lewiston, four thousand five hundred dol- lars	4,500 00
Holy Innocents' Home for Infants, Portland, two thousand dollars	2,000 00
Lewiston and Auburn Children's Home, Lewiston, seven hundred fifty dollars	750 00
Maine Children's Home Society, Augusta, one thousand five hundred dollars	1,500 00
Maine Home for Friendless Boys, Portland, fifteen hundred dollars	1,500 00
St. Elizabeth's Roman Catholic Orphan Asylum, Portland, two thousand five hundred dollars	2,500 00
Temporary Home for Women and Children, Portland, two thousand five hundred dollars	2,500 00
W. C. T. U. Temporary Home for Children, Gardiner, seven hundred fifty dollars	750 00
York County Children's Aid Society, Saco, seven hundred fifty dollars	750 00
For care, support and medical or surgical treatment of in- digent persons by certain hospitals, namely:	
Augusta General Hospital, Augusta, six thousand five hun- dred dollars	6,500 00
Bar Harbor Medical and Surgical Hospital, two thousand dollars	2,000 00
Bath City Hospital, twenty-two hundred and fifty dollars	2,250 00
Central Maine General Hospital, Lewiston, eight thousand dollars	8,000 00
Children's Hospital, Portland, twenty-seven thousand five hundred dollars	27,500 00
Daughters of Wisdom, St. Agatha, five hundred dollars	500 00
Eastern Maine General Hospital, Bangor, eight thousand dollars	8,000 00
Hospital Young Men's Christian Association, Greenville, twelve hundred dollars	1,200 00

Knox County General Hospital, Rockland, one thousand five hundred dollars	1,500 00
Madigan Memorial Hospital, Houlton, one thousand dollars	1,000 00
Maine Eye and Ear Infirmary, Portland, three thousand five hundred dollars	3,500 00
Maine General Hospital, Portland, seven thousand five hundred dollars	7,500 00
Northern Maine General Hospital, Eagle Lake, two thousand dollars	2,000 00
Presque Isle General Hospital, Presque Isle, seven hundred fifty dollars	750 00
Old Town Hospital, Old Town, one thousand dollars	1,000 00
Rumford Hospital Association, Rumford, seven hundred fifty dollars	750 00
St. Mary's General Hospital, Lewiston, eight thousand dollars	8,000 00
Somerset Hospital, Skowhegan, five hundred dollars	500 00
Waldo County General Hospital, Belfast, one thousand dollars	1,000 00
Webber Hospital, Biddeford, four thousand seven hundred fifty dollars	4,750 00
York Hospital, York, twelve hundred dollars	1,200 00
For education of the adult blind in order that they may become self-supporting:	
Maine Institute for the Blind, Portland, fourteen thousand dollars	14,000 00
For the care and support of indigent deaf persons:	
Maine Mission for the Deaf, Bangor, two hundred dollars	200 00
For the purpose of maintaining a home and reading-room for working women:	
Women's Christian Association, Lewiston, for Hayes' Young Women's Home, one thousand dollars	1,000 00

### Special

People's Ferry Company, Bath, two thousand dollars	2,000 00
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Amounting to the sum of seven million, one hundred fourteen thousand, three hundred and four dollars and seventy-six cents	7,114,304 76
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Approved April 6, 1917.

## Chapter 166.

An Act to Incorporate the Boothbay Harbor Water District.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Territory and purpose.** The territory and the people of the town of Boothbay Harbor, excepting the island known as the Isle of Springs and the territory comprised within the limits of Bayville Village Corpora-

**CHAP. 166**

tion, shall constitute a body politic and corporate under the name of Boothbay Harbor Water District, for the purpose of supplying the inhabitants of said district and others that the town of Boothbay Harbor is supplying or authorized to supply with pure water for domestic and municipal purposes.

**Sec. 2. Source of supply, rights and privileges.** Said district for the purposes of its incorporation is hereby authorized to take and hold by purchase or otherwise sufficient water from any lake or pond located in the towns of Boothbay, Boothbay Harbor and Southport, or any stream in any of said towns or from wells or reservoirs therein and may take and hold by purchase or otherwise, any land or real estate therein or water rights necessary for dams, for flowage, for power, for pumping its water supply through its mains, for reservoirs, for preserving the purity of the water and water shed, for laying and maintaining aqueducts and other structures, for taking, distributing, discharging and disposing of water and for rights of way or roadways, to its sources of supply, dams, power stations, reservoirs, mains, aqueducts, structures and lands.

**Sec. 3. Damages, adjustment of.** Said district shall be liable for all damages that shall be sustained by any person or corporation in their property by the taking of any land whatsoever, or water, or by flowage, or by excavating through any land for the purpose of laying pipes, building dams or constructing reservoirs. If any person sustaining damage as aforesaid and said corporation shall not mutually agree upon the sum to be paid therefor, such person may cause his damages to be ascertained in the same manner and under the same conditions, restrictions and limitations as are or may be prescribed in the case of damages by the laying out of highways.

**Sec. 4. May lay pipes, etc., through streets and highways.** Said district is hereby authorized to lay in and through the streets and highways thereof, and to take up, repair and replace all such pipes, aqueducts and fixtures as may be necessary for the objects above set forth, and whenever said district shall lay any pipes or aqueducts in any street or highway it shall cause the same to be done with as little obstruction as possible to the public travel and shall at its own expense without unnecessary delay cause the earth and pavement removed by it to be replaced in proper condition.

**Sec. 5. Affairs to be managed by board of trustees, how and when elected; organization, tenure and compensation.** All the affairs of said district shall be managed by a board of trustees composed of three members, who shall be elected by a plurality vote of the legal voters within said water district at an election to be specially called and held therefor on or before the first Monday in January nineteen hundred and nineteen. Such special election shall be called, advertised and conducted according to the law relating to municipal elections in said town of Boothbay Harbor. The result of such election shall be declared by the municipal officers and due certificate thereof filed with the town clerk thereof. As soon as convenient after members of said board have been chosen, said trustees shall hold a meeting and organize by the election of president and clerk, adopt a corporate seal and when necessary may choose a treasurer and all other need-

## CHAP. 166

ful officers and agents for the proper conduct and management of the affairs of said district. They may also ordain and establish such by-laws as are necessary for their own convenience and the proper management of the affairs of said district. At said first meeting the trustees so elected shall determine by lot the term of office of each trustee so that one trustee shall retire each year and whenever the term of office of a trustee expires his successor shall be elected by a plurality vote by the legal voters of the said water district, and for the purpose of such election a meeting of said water district shall be called and held on the fourth Tuesday of June in each year, the same to be called in the manner hereinbefore provided for the first election of trustees. The trustees so elected shall serve the full term of three years; and in case a vacancy arises in the membership of the board of trustees it shall be filled in like manner for the unexpired term, by special election to be called by the municipal officers of the town of Boothbay Harbor. Said trustees may procure an office and incur such expenses as may be necessary. Each member shall receive in full compensation of his service the sum of two dollars for each and every regular and special meeting of said board at which he is in attendance. At the close of each fiscal year the trustees shall make a detailed report of their doings, of the receipts and expenditures of said water district, of its financial and physical condition and of such other matters and things pertaining to said district as shall show the inhabitants of said district how said trustees are fulfilling the duties and obligations of their trust, such reports to be made and filed with the municipal officers of the town of Boothbay Harbor on or before the first day of July of each year. The report of such trustees shall be printed by the municipal officers of the town of Boothbay Harbor in the annual report of said town.

**Sec. 6. May acquire water plant of town of Boothbay Harbor.** Said water district is hereby authorized and empowered to acquire by purchase or by the exercise of the right of eminent domain, which right is hereby expressly delegated to said district for said purpose, the entire water plant, properties, franchises, rights and privileges of the town of Boothbay Harbor, except its cash assets, including all lands, waters, water rights, dams, structures, reservoirs, pipes, machinery, fixtures, hydrants, tools and all apparatus and appliances owned by said town and used or usable in supplying water in said district. The said town of Boothbay Harbor is hereby authorized to sell and transfer its water franchises and properties to said water district.

**Sec. 7. Purchase price, how determined.** Said water district shall pay to the town of Boothbay Harbor for such franchises and properties the amount which the engineers now appraising said property, under order issued by the public utilities commission, shall fix as its value, and in addition thereto such sum or sums as the town may expend for extensions, improvements or other property after said appraisal and before this act is approved by vote of the people residing within the water district. On payment or tender by said district of the amount so fixed and the performance of all other terms and conditions said entire plant, property and franchises shall become vested in said water district and be free from all liens, mort-

**CHAP. 166**

gages and incumbrances, theretofore created by the town of Boothbay Harbor.

**Sec. 8. Present contracts to be fulfilled.** All valid contracts now existing between the town of Boothbay Harbor and any persons or corporations for supplying water, shall be assumed and carried out by said Boothbay Harbor Water District.

**Sec. 9. Temporary loan authorized; trustees may issue bonds.** For accomplishing the purposes of this act, said water district, through its trustees, is authorized to borrow money temporarily, and to issue therefor the interest bearing negotiable notes of the district and for the purpose of refunding the indebtedness so created, of paying any necessary expenses and liabilities, incurred under the provisions of this act, including the expenses incurred in the creation of the district, in acquiring the properties and franchises of the town of Boothbay Harbor, of securing sources of supply, taking water and land, paying damages, laying pipes, constructing, maintaining and operating a water plant, and making renewals, extensions, additions and improvements to the same; the said water district, through its trustees, may from time to time issue bonds of the district to an amount necessary in the judgment of the trustees therefor. Said notes and bonds shall be legal obligations of said water district, which is hereby declared to be a quasi municipal corporation within the meaning of section one hundred and five, of chapter fifty-one of the revised statutes, and all the provisions of said section shall be applicable thereto. The said notes and bonds shall be legal investments for savings banks.

**Sec. 10. Rates to be uniform; revenue, how expended.** All individuals, firms and corporations, whether private, public or municipal, shall pay to the treasurer of said district the rates established by said board of trustees for the water used by them, and said rates shall be uniform within the territory of said district. Said rates shall be so established as to provide revenue for the following purposes:

I. To pay the current running expenses for maintaining the water system and provide for such extension and renewals as may become necessary.

II. To provide for payment of the interest on the indebtedness of the district.

III. To provide each year a sum equal to not less than one nor more than five per cent. of the entire indebtedness of the district, which sum shall be turned into a sinking fund to provide for the final extinguishment of the funded debt. The money set aside for the sinking fund shall be devoted to the retirement of the obligations of the district invested in such securities as savings banks are allowed to hold.

IV. If any surplus remains at the end of the year it may be turned into the sinking fund.

**Sec. 11. Incidental powers and privileges.** All incidental powers, rights and privileges necessary to the accomplishment of the main object herein set forth are granted to the corporation hereby created.

**Sec. 12. Referendum provided; procedure.** This act shall take effect when approved by a majority of the legal voters within said district vot-

**CHAP. 167**

ing at an election to be specially called and held for the purpose on or before the first Monday of January nineteen hundred and nineteen. The board of selectmen of Boothbay Harbor shall make and provide a separate check list of such of the voters within said district as are then legal voters of said town and all warrants issued to said town shall be varied accordingly to show that only such voters therein are entitled to vote hereon. Such special election shall be called, advertised and conducted according to the law relating to municipal elections, provided, however, that the board of selectmen shall not be required to prepare or the town clerk to post a new list of voters and for this purpose said board shall be in session the three secular days next preceding such election, the first two days thereof to be devoted to registration of voters and the last day to enable the board to verify the corrections of said lists and to complete and close up its records of said session. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Boothbay Harbor Water District be accepted?" and the voters shall indicate by a cross placed against the word "Yes" or "No" their opinion of the same. The result shall be declared by the selectmen of Boothbay Harbor and due certificate thereof filed by the town clerk with the secretary of state.

**Sec. 13. Certain sections inoperative unless purchase is consummated.** Sections two, three and four of this act shall be inoperative, null and void, unless the said water district shall first acquire by purchase as in this act provided, the plant, property and franchises, rights and privileges now held by the town of Boothbay Harbor.

**Sec. 14. Date when effective as to referendum.** This act shall take effect in ninety days after the final adjournment of the legislature, so far as necessary to empower the calling and holding of the elections authorized in section five as herein provided for.

Approved April 6, 1917.

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## **Chapter 167.**

**An Act to Extend the Time within which the Provisions of Chapter One Hundred Eighty-six of the Private and Special Laws of Nineteen Hundred and Fifteen, Providing for Reorganization or Consolidation of the Railroad Companies Constituting the Boston and Maine Railroad System, may be Exercised.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Prescribed time in which action may be taken extended.** The prescribed time within which action may be taken by the Boston and Maine Railroad, under section four of chapter one hundred eighty-six of the private and special laws of nineteen hundred and fifteen and the time prescribed for the exercise by it of special powers under section eight of said act and the time within which a new corporation may be organized under section nine and subsequent sections of said act are hereby extended respectively to July first, nineteen hundred and nineteen.

**CHAP. 168**

**Sec. 2. Other provisions of P. & S. L., 1915, c. 186, reenacted.** All other provisions of said act are hereby reenacted and made in full force and effect.

**Sec. 3. Section appended.** Said act is hereby amended by adding thereto a new section to be numbered section twenty-three, as follows:

**'Sec. 23. Purchase of Hampden railroad corporation authorized; proviso.** So far as authority from this state may be necessary, the Boston and Maine railroad or any new corporation, organized under the provisions of said chapter one hundred eighty-six, is \*organized to enter into such arrangements of purchase, consolidation or other contract with the Hampden Railroad Corporation, organized under the laws of the Commonwealth of Massachusetts, as the Public Utilities Commission of Maine shall duly approve and, subject to such approval, may issue such stock, bonds or other obligations as may be necessary to carry out such arrangements. But in no case shall the aggregate par value of such bonds or stock or other obligations issued for said purpose exceed the reasonable and proper cost incurred in the construction of the Hampden Railroad as determined by the public service commission of said Commonwealth of Massachusetts in its report dated December twenty-four, nineteen hundred and thirteen, upon the petition of said Hampden Railroad Corporation for approval of an issue of bonds.'

Approved April 6, 1917.

## Chapter 168.

An Act to Incorporate the Pilgrims Home Cemetery Association.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators, name and purposes.** Charles M. Conant, Arthur Boyd, Albert Conant, A. J. Curtis, A. H. Conant, George H. Clements, T. D. Clements, Gorham P. Grant, Henry Haley, Charles H. Libby, Leroy D. Littlefield, Chas. S. Littlefield, Chas. B. Jewett, W. A. McFarland, C. W. Nealley, Isaac J. Perkins, Geo. Parker, Fred A. Parker, Edward Parks, Lewis S. Ritchie, Edmund C. Weston, Geo. H. York, John H. York, C. W. Hubbard, Ansel Benson, Luther Benson, Sylvester Benson, Roscoe L. Clements, C. William Elliott, Albert W. Foss, Hiram Ide, W. I. Morton, Walter C. Marden, John F. Marden, William A. Stevens, Charles Whitney, Laura Coffin, Hattie Clements, Fannie Shields, Lucy J. Dyer, Bertha Howard, Ann M. Larrabee, Harriet Patterson, Martilla W. Ward, Julia White, Celestia B. Roundy, Mary A. Grant, Lizzie A. Clark, their associates and successors, are hereby made a corporation by the name of the Pilgrims Home Cemetery Association, for the purpose of acquiring, holding, controlling, caring for, and improving ground set apart and used for burial purposes, situated in the town of Monroe on the southwest side of the highway leading from Austin Ricker's residence to Winterport by the residence of H. E. Haley, and lying between land of Austin Ricker and

\*Authorized evidently intended.



## CHAP. 168

that of H. E. Haley; and said corporation shall have all the powers and privileges, and be subject to all the duties, restrictions and liabilities contained in the general laws existing or which may hereafter be in force relating to such corporations.

**Sec. 2. Acquisition of burial place authorized; original purpose to be retained.** Said corporation is hereby authorized to take possession and assume legal control of the burial place, aforesaid, whenever the same shall have been duly conveyed to it by the person or persons, corporation, town or municipality holding legal title to the same and having the control thereof, and said corporation shall hold the land of, and all other property, rights and things appertaining to said burial place, for the same uses and purposes for which they are now held; and all rights which any persons have acquired therein for burial purposes shall remain valid to the same extent as if this act had not been passed.

**Sec. 3. Acquisition of other land for enlargement of cemetery authorized; trust funds may be accepted and administered.** Said corporation may acquire by purchase, gift or devise, and hold in fee, additional or other land, for the purpose of enlarging said cemetery, from time to time, and may hold such personal property as may be necessary for the purposes of the corporation; and said corporation is hereby authorized to take and hold any grant, donation, devise or bequest of property in trust, and to apply the same or its income to the improvement and beautifying of said cemetery, or for the construction, repair, preservation or renewal of any monument, fence or other structure, in the planting and cultivation of plants in or around any lot, or the improving of said premises in any other manner or form consistent with the purposes for which said cemetery is established, and in accordance with the terms of said grant, donation, devise or bequest.

**Sec. 4. Authorized to issue stock.** Said corporation may have a corporate seal to be used in its conveyances and for any of the usual purposes of such a seal, and may make and establish such by-laws for the government of its concerns as may be necessary, not inconsistent with the laws of this state, and may issue stock under such conditions and limitations as may be determined in said by-laws.

**Sec. 5. Care and general management.** Said corporation, by its board of trustees, shall have the care, control and general management of said cemetery, and shall be charged with the preservation of the lands and grounds thereof, and shall have power to institute legal proceedings for the punishment of any and all offenses committed therein.

**Sec. 6. Membership, how acquired and how discontinued.** Any person who now is or may hereafter become a proprietor of a lot, by deed or otherwise, in the land mentioned in section one of this act, or in land hereinafter acquired by said corporation, shall become a member of said corporation, and when any person shall cease to be proprietor of a lot in the lands of said corporation, he shall cease to be a member thereof.

## CHAP. 169

**Sec. 7. Deeds of lots, where recorded.** Deeds of lots in said cemetery may be recorded in the county registry of deeds of Waldo county.

**Sec. 8. Officers, tenure and how chosen.** The officers of this corporation shall be a board of seven trustees, a clerk, a treasurer, and such other officers as its by-laws may prescribe, who shall hold office for such time and be elected in such manner as may be required by the by-laws of the corporation.

**Sec. 9. Bond required of treasurer.** The treasurer of said corporation shall be required to give bonds with sureties in such sum as the board of trustees may deem sufficient.

**Sec. 10. Annual and special meetings.** The annual and special meetings of this corporation shall be holden at such time and place and such notice thereof shall be given as the by-laws direct.

**Sec. 11. First meeting; how called.** Any three of the corporators are hereby authorized to call the first meeting of this corporation, by posting notices thereof in three public places in the vicinity, seven days at least before said meeting.

Approved April 6, 1917.

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## Chapter 169.

An Act to Incorporate the Investment Insurance & Guaranty Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators.** Charles L. Andrews, Willis E. Swift, Blaine S. Viles, Byron Boyd, Samuel Titcomb, Lester C. Greenwood, Charles J. McGraw and Harold I. Goss, all of Augusta, in the county of Kennebec and State of Maine, their associates, successors and assigns, are hereby created a body corporate under the name of Investment Insurance & Guaranty Company, and by that name may sue and be sued; may have a common seal, adopt by-laws and regulations for the management of its affairs not repugnant to this charter and the laws of this state; and may purchase, hold and convey all such property, real and personal, as may be deemed necessary for the use or accommodation of the business of the company, and generally do and perform any and all legal acts incident to similar corporations.

**Sec. 2. Purposes.** The powers and purposes of said corporation shall be that of insuring against loss resulting from the failure or default in payment of bonds, notes, debentures and other obligations of corporations, voluntary associations, firms, copartnerships, trustees or other persons, and interest on the same; also that of insuring the payment of income, dividends or profits from investments in stock, shares or other evidences of ownership in corporations and voluntary associations or from property. Said corporation may also accept and exercise such additional powers and privileges as by any constitutional provisions or legislative enactment hereafter adopted or enacted shall become lawful.

## CHAP. 169

**Sec. 3. Capital stock; policies not to be issued until paid in.** The paid in capital of said corporation shall be no less than one hundred thousand dollars, before said corporation shall commence business in this or any other state. Said corporation is empowered to increase its paid in capital not to exceed one million dollars, without further legislative consent. No policy of insurance as above provided, shall be issued until the entire capital stock is paid in, in cash, and invested.

**Sec. 4. Premiums, form of policies, etc., to be approved by insurance commissioner.** The schedules of classification of securities, premium rates, and forms of policies, to be issued by said corporation, shall be such as are approved by the insurance commissioner.

**Sec. 5. Location.** The company shall be located at Augusta, in the county of Kennebec and State of Maine, but the business of the company may be transacted throughout the United States or elsewhere, by means of agencies, branches, or otherwise as may be deemed advisable.

**Sec. 6. Board of directors; number, how chosen, qualifications.** The affairs of the company shall be managed by a board of directors consisting of such number, not exceeding twenty-one nor less than seven, as the by-laws may provide, one-third of the board shall be elected for one year, one-third for two years and one-third for three years, to be elected by the stockholders by written ballot, and annually thereafter directors shall be elected by the stockholders, by written ballot, for the term of three years to succeed the retiring class. All vacancies in the board shall be filled by the board for the unexpired time. Each director must be a stockholder, and a majority of the board shall be residents of the State of Maine.

**Sec. 7. Duties and powers of directors.** The corporate powers of said company shall be vested in the board of directors and shall be exercised by said board and such officers, committees and agents as they may empower, or as may be provided by the by-laws. The directors shall determine the forms of all contracts or policies of insurance authorized by this act, and shall fix the rate of premiums and terms and manner of payment thereof, subject, however, to the approval of the insurance commissioner.

**Sec. 8. First meeting; how called.** The first meeting of said corporation may be called by a written notice signed by any corporator hereinbefore named, served upon each corporator by giving him the same in hand or leaving the same at his last and usual place of abode, seven days before the time appointed for the meeting, unless such notice is waived in writing signed by all the corporators.

Approved April 6, 1917.

## Chapter 170.

An Act to Make Valid the Doings of the Annual Town Meeting of the Town of Jackson.

**Emergency preamble.** Whereas, it is important to the stability and safety of the town of Jackson in the county of Waldo that the validity of the acts of the annual town meeting be beyond question, and,

Whereas, by reason of the foregoing fact this act is necessary for the public peace and safety and in the opinion of the legislature constitutes an emergency within the meaning of the constitution, now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Proceedings of annual town meeting of Mar. 5, 1917, validated.** The annual town meeting of the town of Jackson in the county of Waldo, held on the fifth day of March, nineteen hundred seventeen is hereby ratified and made legal and valid notwithstanding any informality in making the town clerk's record of said meeting.

**Sec. 2. Emergency clause.** In view of the emergency cited in the preamble this act, two-thirds of the members elected to each house, having so directed, shall take effect when approved.

Approved April 6, 1917.

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## | Chapter 171.

An Act to Increase the Salary of the Judge of the Municipal Court of Dexter.

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1883, c. 260, § 14, as amended by P. & S. L., 1907, c. 324, further amended.** Section fourteen of chapter two hundred and sixty of the private and special laws of eighteen hundred and eighty-three as amended by chapter three hundred twenty-four of the private and special laws of nineteen hundred seven is hereby further amended by striking out of the eleventh and twelfth lines of said section the words "and for providing all necessary blanks for the use of said court," and by striking out in the twelfth line of said section the word "five" and inserting in the place thereof the word 'six' and by adding to the end of said section the following: 'It shall be the duty of the county commissioners of the county of Penobscot to furnish and provide at the expense of said county, all books, blanks, and all necessary stationery and supplies required for the use of the municipal court in the town of Dexter, in the transaction of the civil and criminal business of said court, including proper books for the record of all cases arising in said court, at a cost not exceeding thirty dollars per year,' so that said section as amended shall read as follows:

**'Sec. 14. Salary of judge increased to \$600; necessary books, blanks, stationery, etc. to be furnished by county.** The judge of said court may de-

**CHAP. 172**

mand and receive the same fees allowed to trial justices for like services, except that he may demand and receive for a complaint and warrant in criminal cases, one dollar; for the entry of a civil action, fifty cents; and for the trial of an issue, civil or criminal, two dollars for the first day and one dollar for each day after the first occupied in such trial, to be paid to him by the plaintiff in civil cases, before trial, who shall recover the same as costs if he prevail in the suit; and the said judge shall receive as full compensation for his services including the keeping of the records of said court, a salary of six hundred dollars a year, to be paid quarterly from the treasury of the county of Penobscot. A condition preceding the payment of said salary as aforesaid, shall be the rendering by said judge of a correct and detailed statement to the county commissioners, and the payment over by said judge to the county treasurer, of all fees, both civil and criminal, collected by the said municipal court for the preceding quarter or fractional part thereof. It shall be the duty of the county commissioners of the county of Penobscot to furnish and provide at the expense of said county, all books, blanks, and all necessary stationery and supplies required for the use of the municipal court in the town of Dexter, in the transaction of the civil and criminal business of said court, including proper books for the record of all cases arising in said court, at a cost not exceeding thirty dollars per year.'

Approved April 6, 1917.

## Chapter 172.

**An Act to Ratify, Confirm and Make Valid the Acts of Incorporation and Proceedings of Abou Ben Adhem Lodge, Number Twenty-three, Independent Order of Odd Fellows.**

*Be it enacted by the People of the State of Maine, as follows:*

**Incorporation and proceedings validated.** The acts of incorporation and all the proceedings of Abou Ben Adhem lodge, number twenty-three, Independent Order of Odd Fellows, duly incorporated under the laws of the State of Maine, and all gifts, grants and conveyances made to it, are hereby ratified, confirmed and made valid.

Approved April 6, 1917.

## Chapter 173.

**An Act to Amend Section Three of Chapter Three Hundred Eighty-four of the Private and Special Laws of Nineteen Hundred Seven, Increasing the Salary of the Recorder of the Old Town Municipal Court.**

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1907, c. 384, § 3, amended.** Section three of chapter three hundred and eighty-four of the private and special laws of nineteen hundred and seven is hereby amended by substituting the word 'five' for the

**CHAP. 174**

word "four" in the second line of said section; and by adding to said section the following words: 'Said recorder by virtue of his said office shall be a justice of the peace for each of our several counties,' so that said section when so amended shall read as follows: .

**'Sec. 3. Salary of recorder increased to \$500; justice of peace by virtue of office.** The salary of the recorder of said court is hereby fixed at five hundred dollars, annually, to be paid quarterly from the treasury of the county of Penobscot. Said recorder by virtue of his said office shall be a justice of the peace for each of our several counties.'

Approved April 6, 1917.

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## **Chapter 174.**

**An Act Relating to the Trustees of the Windham Ministerial Fund.**

*Be it enacted by the People of the State of Maine, as follows:*

**Investment of funds authorized.** The trustees of the Windham Ministerial Fund, which fund is for the support of the Congregational minister in the town of Windham in the county of Cumberland, are hereby allowed and granted authority to make investment of the funds belonging to said ministerial fund in such securities as are legal for the investment of deposits in savings banks.

Approved April 6, 1917.

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## **Chapter 175.**

**An Act to Authorize The American Thread Company to Erect a Bridge across Sebec River in the Town of Milo.**

*Be it enacted by the People of the State of Maine, as follows:*

**Location and specifications.** The American Thread Company, its successors and assigns, are hereby authorized to erect and maintain a bridge suitable for traffic with teams and loghauler appliances, across Sebec river in the town of Milo, at a point between the railway bridge in Milo village and the mouth of Stoddard brook; said bridge to be so constructed that the center span will be not less than one hundred feet in length.

Approved April 6, 1917.

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## **Chapter 176.**

**An Act to Amend Paragraph Three of Section One of Chapter Two Hundred Eighty-two of the Private and Special Laws of Nineteen Hundred and Nine, Increasing the Salary of Recorder of the Municipal Court of the City of Westbrook.**

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1909, c. 282, § 1, amended.** Paragraph three of section one of chapter two hundred eighty-two of the private and special laws of nine-

teen hundred and nine, relating to the salary of the recorder of the municipal court of the city of Westbrook, is hereby amended by striking out the word "two" and inserting in place thereof the word 'three' so that said paragraph as amended shall read as follows:

**'Salary of recorder increased to \$300.** Such recorder shall receive an annual salary of three hundred dollars, in full for all services as such recorder, which salary shall be paid to him in quarterly payments from the county treasury of the county of Cumberland.'

Approved April 6, 1917.

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## Chapter 177.

An Act Additional to Chapter Four Hundred and Thirty-three of the Private and Special Laws of Nineteen Hundred and Seven, Entitled "An Act to Incorporate the Portland Water District."

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Authority given to supply water to Gorham, Falmouth and Cumberland; also to islands in Casco Bay and to public utilities; proviso.** The Portland Water District is hereby authorized to supply Sebago water for domestic, sanitary and municipal purposes to the inhabitants and the towns of Gorham, Falmouth and Cumberland; also to the government reservations and the inhabitants on the islands in Casco bay in Cumberland county, lying and being in the territorial limits of the cities and towns wherein said district is now, or may be hereafter authorized to supply water, and also to any public utility now supplying water in said county, provided that said district shall not supply water in any section of said territory, except to the government reservations, where another corporation, person or association is now furnishing water under a franchise from the state, without the consent of such corporation, person or association and the consent of the public utilities commission.

**Sec. 2. Provisions of P. & S. L., 1907, c. 433 applicable; may lay pipes through extended territory.** All rights, powers and privileges granted the Portland Water District by chapter four hundred and thirty-three of the private and special laws of nineteen hundred and seven, including the right of eminent domain, are hereby granted and extended throughout the aforesaid territory, to be exercised therein in accordance with the provisions of said chapter four hundred and thirty-three. Said district is also especially authorized under said provisions to extend its pipes, aqueducts and fixtures throughout the aforesaid territory under and beneath any of the waters of Casco bay or its tributaries.

**Sec. 3. Transfer of Foreside and of Gorham water companies, also of other public utilities authorized.** Subject to the consent of the public utilities commission, the said district is hereby authorized to acquire by purchase the entire capital stock, plants, property and franchises, rights and privileges of the Foreside Water Company and the Gorham Water Company or of any other public utility supplying water in the territory in

**CHAP. 178**

which said district is authorized to supply water; and any such utility is hereby authorized with the consent of the public utilities commission to transfer its properties, rights and franchises to said district.

**Sec. 4. Rates may be increased when justified by conditions; increase subject to approval of public utilities commission.** Said district shall continue to supply water under the provisions of said chapter four hundred and thirty-three as heretofore, and the rates for water so supplied shall be uniform within the territory supplied by the district wherever the installation and maintenance of mains and the cost of service is substantially uniform, but nothing in said chapter four hundred and thirty-three or in this act shall preclude said district, with the approval of the public utilities commission, from establishing higher rates than the regular rates in sections where, for any reason, the cost of construction and maintenance or the cost of service exceeds the average, but such higher rates shall be uniform throughout the section where they apply.

Approved April 6, 1917.

## Chapter 178.

**An Act to Repeal Chapter One Hundred Thirty-four of the Special Laws of Eighteen Hundred and Thirty-one Entitled, "An Act Establishing a Fire Department in the Town of Portland;" Sections One, Three and Four of Chapter One Hundred Sixty-seven of the Private and Special Laws of Eighteen Hundred and Fifty-three Entitled, "An Act Relating to the City of Portland."**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. P. & S. L., 1831, § 134, repealed.** Chapter one hundred thirty-four of the special laws of eighteen hundred and thirty-one entitled, "An Act Establishing a Fire Department in the Town of Portland" is hereby repealed.

**Sec. 2. Certain sections P. & S. L., 1853, c. 167, repealed.** Sections one, three and four of chapter one hundred sixty-seven of the private and special laws of eighteen hundred fifty-three entitled, "An Act Relating to the City of Portland" are hereby repealed.

Approved April 6, 1917.

## Chapter 179.

**An Act to Legalize the Doings of the Inhabitants of the Town of Windham at the Annual Town Meeting held on March Fifth, Nineteen Hundred and Seventeen, and by Adjournment, on March Seventh, Nineteen Hundred and Seventeen.**

**Emergency preamble.** Whereas an emergency exists, because it is immediately necessary for the preservation of the public peace and safety, that the acts and doings of the inhabitants of the town of Windham at the annual town meeting, held on March fifth, nineteen hundred and seventeen, and by adjournment, on March seventh, nineteen hundred and seventeen, be made legal and valid without delay, therefore,



*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Acts of Windham town meeting of Mar. 5th and of adjourned meeting of Mar. 7th, 1917, validated.** The acts and doings of the inhabitants of the town of Windham in the county of Cumberland at the annual town meeting, held at the town house in said town on Monday, March fifth, nineteen hundred and seventeen, and by adjournment, on Wednesday, March seventh, nineteen hundred and seventeen, are hereby confirmed, legalized and made valid.

**Sec. 2. Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 6, 1917.

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## Chapter 180.

An Act to Amend Chapter Sixty-five, of the Private and Special Laws of Eighteen Hundred and Ninety-nine, Entitled "An Act to Incorporate the Bath Trust Company."

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1899, c. 65, §3, amended.** Section three of chapter sixty-five, of the private and special laws of eighteen hundred and ninety-nine is hereby amended by striking out all of said section three, and inserting in place thereof the following:

**'Sec. 3. May act as surety upon bonds.** The purposes of said corporation and the business which it may perform, are: first, to receive on deposit, money, coin, bank notes, evidences of debt, accounts of individuals, companies, corporations, municipalities and states, allowing interest thereon, if agreed, or as the by-laws of said corporation may provide; second, to borrow money, to loan money on credits, or real estate, or personal security, and to negotiate loans and sales for others; third, to own and maintain safe deposit vaults, with boxes, safes and other facilities therein, to be rented to other parties for the safe keeping of moneys, securities, stocks, jewelry, plate, valuable papers, and documents, and other property susceptible of being deposited therein, and may receive on deposit for safe keeping, property of any kind entrusted to it for that purpose; fourth, to act as agent for issuing, registering and countersigning certificates, bonds, stocks, and all evidences of debt or ownership in property; fifth, to hold by grant, assignment, transfer, devise or bequest, any real or personal property or trusts duly created, and to execute trusts of every description; sixth, to act as assignee, receiver, or executor, and no surety shall be necessary upon the bond of the corporation, unless the court or officer approving such bond shall require it; seventh, to become surety upon any bond required to be given by any party in any matter or proceeding in any court sitting in this state, or by any person holding any position of trust in which a bond is required; eighth, to do in general all the business that may lawfully be done by trust and banking companies.'

Approved April 6, 1917.

## Chapter 181.

An Act to Amend Section One of Chapter Eighty-five of the Private and Special Laws of Nineteen Hundred Fifteen Entitled "An Act Establishing a Close Time on Lobsters in Certain Waters of Hancock County."

*Be it enacted by the People of the State of Maine, as follows:*

**P. & S. L., 1915, c. 85, § 1, amended.** Section one of chapter eighty-five of the private and special laws of nineteen hundred fifteen is hereby amended by striking out after the word "the" in the sixth line of said section, the words "eastern extremity of Naskeag Point in the town of Brooklin and then running thence southeast three-quarters east to the northwesterly point of Sheep Island; thence southerly along the westerly side of Sheep Island to its southern point; thence southeast one-quarter south to the northeasterly point of Swan's Island; thence southeast by the easterly side of Outer Long Island to a point three nautical miles from Long Island Head," and inserting in place thereof the following words: 'extreme southwestern point of Mt. Desert Island, known as Lopus' Point; thence extending in a direct line to the extreme north line of Gott's Island; thence following the easterly shore of Gott's Island to the extreme southeast point of said island; thence in a direct line to the extreme north end of Great Duck Island; thence following the western shore of Great Duck Island to the lighthouse; thence in a direct southerly course three nautical miles,' and by striking out the words "and including the waters of and adjacent to Bluehill and Union River Bays," so that said section as amended shall read as follows:

**'Sec. 1. Limits changed.** No person shall take, catch, kill or destroy any lobsters between the first day of July and the first day of September in each year in any of the waters of Hancock county, between a line on the east, extending due north and south through Egg Rock Light in Frenchman's Bay and a line on the west and south, beginning at the extreme southwestern point of Mt. Desert Island known as Lopus' Point; thence extending in a direct line to the extreme north end of Gott's Island; thence following the easterly shore of Gott's Island to the extreme southeast point of said island; thence in a direct line to the extreme north end of Great Duck Island; thence following the western shore of Great Duck Island to the lighthouse; thence in a direct southerly course three nautical miles; thence due east to the line extending south from Egg Rock Light; and no person shall set a trap within said water for the purpose of taking, catching, killing or destroying any lobsters between said dates, under a penalty of one dollar for each lobster so taken, caught, killed or destroyed and under a penalty of five dollars for each lobster trap so set for said purpose.'

Approved April 6, 1917.

## Chapter 182.

An Act to Incorporate the Van Buren Light and Power District.

**Emergency preamble.** Whereas, the inhabitants of certain territory in the town of Van Buren, in the county of Aroostook, desire that a municipal light and power district be established and created embracing said territory, and

Whereas, this act provides for the taking over of an existing public utility, and

Whereas, important contracts relating to the adequate lighting of the streets of said territory are affected by this act, so that it is necessary for the inhabitants of said territory to make provision therefor without delay, and

Whereas, in the opinion of the legislature the proper lighting of the public streets in said territory is necessary for the public peace, health and safety of said territory and of the state, and the need therefor constitutes an emergency within the meaning and provisions of the constitution of this state :

*Be it enacted by the People of the State of Maine, as follows :*

**Sec. 1. District created; territorial limits and purposes; bond issue authorized.** The following described territory and the people within the same, namely so much of the town of Van Buren as is bounded on the southeasterly side by the town line between said Van Buren and Hamlin; on the northwesterly side by the northwesterly line of the homestead farm of Basil Violette; on the southwesterly side by the rear line of the river lots; and on the northeasterly side by the Saint John river, is hereby created a body politic and corporate under the name of the Van Buren Light and Power District; with the right of making, generating, purchasing, selling, distributing and supplying gas or electricity, or both, for lighting, heating, manufacturing or mechanical purposes, and to sell the same for street lighting purposes and to light all public and private buildings, houses, stores, warehouses, mills and business places in said district, and likewise for heating, domestic and power purposes. Said district is also authorized to build such system as may be required to carry out the purposes herein stated, or to acquire by purchase or the right of eminent domain any existing system or systems and to enlarge or extend the same as circumstances shall require. Said district is also authorized to issue bonds to such amount as may appear necessary to fully accomplish the above purposes with a view to furnishing the inhabitants of such district with gas and electricity for all purposes to which the same may be advantageously applied.

**Sec. 2. Poles and wires may be constructed along streets and across private property; damages.** Said district shall have power to construct and maintain its lines, poles, wires and fixtures for transmission of gas or electricity over and across and under roads and streets in the territory above named; subject, however, to the conditions and restrictions of the general law, and shall have the right to construct and maintain its transmission lines, poles and wires as aforesaid across private property, but shall

**CHAP. 182**

be liable to pay damages to the owners thereof, under the same conditions and limitations as are by law prescribed in the case of damage for the laying out of highways.

**Sec. 3. Transfer of Van Buren Light and Power Company authorized; price fixed.** If this act shall be accepted by a majority vote of the legal voters within said district at its meeting to be called and held as hereinafter provided, the said district is hereby authorized, directed and required to purchase the capital stock, plants, properties (except bills receivable, whether arising out of contracts or otherwise), rights, franchises and locations of the Van Buren Light and Power Company, and the said Van Buren Light and Power Company is hereby authorized to convey, transfer and assign such stock, plants, properties, (except bills receivable, whether arising out of contracts or otherwise), rights, franchises and locations to the said Van Buren Light and Power District on the payment by said district to said company of the sum of thirty thousand dollars (\$30,000) on or before July first, nineteen hundred and seventeen. If said sum of thirty thousand dollars (\$30,000) is not accepted by said company on July first, nineteen hundred and seventeen, said district may proceed to acquire the above mentioned property of the Van Buren Light and Power Company under the provisions of section four of this act.

**Sec. 4. Proceedings and provision in case stipulated price is refused.** In case the Van Buren Light and Power Company refuses to accept the sum of thirty thousand dollars (\$30,000) for its capital stock, plants, properties, (except bills receivable, whether arising out of contracts or otherwise), rights, franchises and locations on or before July first, nineteen hundred and seventeen, said light and power district through its trustees is hereby authorized to take said plant, property and franchises as for public uses by petition therefor in the manner hereinafter provided. And said Van Buren Light and Power District through its trustees is hereby authorized, on or before September first, nineteen hundred and seventeen, to file a petition in the office of the clerk of the supreme judicial court of the county of Aroostook, in term time or in vacation, addressed to any justice of said court, who, after notice to said Van Buren Light and Power Company, shall, after hearing and within thirty days after the filing of said petition, appoint three disinterested appraisers, none of whom shall be residents of the county of Aroostook, one of whom shall be learned in the law, for the purpose of fixing the valuation of said plant, property and franchises. The said appraisers shall have the power of compelling attendance of witnesses and the production of books and papers pertinent to the issue, and may administer oaths, and any witness, or person in charge of such books or papers, refusing to attend or to produce the same shall be subject to the same penalties and proceedings so far as applicable as witnesses summoned to attend the supreme judicial court. The appraisers so appointed shall, after due notice and hearing, fix the valuation of said plant, property and franchises at what they are fairly and equitably worth, so that the said Van Buren Light and Power Company shall receive just compensation for the same. The first day of July, nineteen hundred and seventeen, shall be the date as of which the valuation aforesaid shall be fixed, from which day interest on said award shall run, and all net rents and profits accruing there-

after shall belong to the said Van Buren Light and Power District. The report of said appraisers, or a majority of them, shall be filed in said clerk's office, in term time or vacation, within five months after their appointment, if final judgment shall then have been rendered in the actions now pending in the law court wherein the Van Buren Light and Power Company is plaintiff and the inhabitants of Van Buren are defendants; if final judgment shall not then have been rendered in said actions, the time for filing said report shall be extended for thirty days after said final judgment. Any justice of the supreme judicial court may, after notice and hearing, confirm or reject the report, or recommit it, if justice so requires. The award of the appraisers shall be conclusive as to valuations. Upon the confirmation of said report the court so sitting shall thereupon, after hearing, make final decree upon the entire matter, including the application of the purchase money, discharge of incumbrances and transfer of the property, jurisdiction over which is hereby conferred, with the same power to enforce said decrees as in equity cases. Upon request of either party the justice so making such final decree shall make separate findings of law and fact. All such findings of fact shall be final, but either party aggrieved may take exceptions to any ruling of law so made, the same to be accompanied only by such parts of the case as are necessary to a clear understanding of the questions raised thereby. Such exceptions shall be claimed on the docket within ten days after such final decree is signed, entered and filed and notice thereof has been given by the clerk to the parties or their counsel, and said exceptions so claimed shall be made up, allowed and filed, within said time unless further time is granted by the court or by agreement of parties. They shall be entered at the next term of the law court to be held after the filing of said decree, and there heard, unless otherwise agreed, or the law court shall for good cause order a further time for hearing thereon. Upon such hearing the law court may confirm, revise or modify the decree of the court below, or remand the cause for further proceedings as it seems proper.

During the pendency of such exceptions the cause shall remain on the docket of the court below marked law and decree shall be entered thereon by a single justice in term time or in vacation, in accordance with the certificate and opinion of the law court. Before said plant, property and franchises are transferred in accordance with such final decree and before the payment therefor, the court sitting in said county of Aroostook, by a single justice thereof as hereinbefore provided, shall, upon motion of either party, after notice and hearing, take account of all receipts and expenditures properly had or incurred by the Van Buren Light and Power Company belonging to the period after July first, nineteen hundred and seventeen, and all the net rents and profits accruing thereafter, and shall order the net balance due to either party to be added to or deducted from the amount to be paid under such final decree, as the case may be. All findings of law or fact by such single justice at such hearing shall be final. On payment or tender by said Van Buren Light and Power District of the amount so fixed and the performance of all other terms and conditions so imposed by the court, said entire plant, property and franchises shall become vested in said Van Buren Light and Power District, and be free from all liens and incumbrances theretofore created by the Van Buren Light and Power Company.

**CHAP. 182**

After the filing of said petition it shall not be discontinued or withdrawn by said Van Buren Light and Power District, and the said Van Buren Light and Power Company may thereafterwards on its part cause said valuation to be made as herein provided, and shall be entitled to appropriate process to compel said Van Buren Light and Power District to perform the terms of the final decree, and to pay for said plant, property and franchises in accordance therewith.

**Sec. 5. Existing contracts to be assumed.** All valid contracts now existing between the Van Buren Light and Power Company and any person or persons or corporations for supplying light and power shall be assumed and carried out by said Van Buren Light and Power District.

**Sec. 6. Affairs to be managed by board of trustees; how chosen, tenure, compensation, vacancies; organization of board and officers; by-laws, how made and how revised.** All the affairs of said Van Buren Light and Power District shall be managed by a board of trustees composed of three members, to be chosen by ballot by the legal voters within said district, the first election to be at the meeting of the legal voters of the said district to be called to accept this act, one to serve until the annual meeting to be held in nineteen hundred and eighteen, one to serve until the annual meeting to be held in nineteen hundred and nineteen, and one to serve until the annual meeting to be held in nineteen hundred and twenty. Whenever the term of office of a trustee shall expire the legal voters of the said district shall elect a successor to serve for a full term of three years, and if any other vacancy occurs it may be filled in like manner for the unexpired term. The annual election of officers shall be in the month of March. As soon as convenient after the board of trustees has been chosen the said trustees shall hold a meeting at the office of the selectmen in the town of Van Buren, and organize by the election of a chairman and clerk, adopt a corporate seal, and, when necessary, may choose a treasurer and all other needful officers and agents for the proper management of the affairs of said district. Said trustees may procure an office and incur such expenses as may be necessary. Each member shall receive in full compensation for his services an allowance of fifty dollars per year, or such other less sum as the said district at any legal meeting may prescribe. The said district, at any legal meeting thereof called for the purpose, may adopt such by-laws and provisions, not inconsistent with the laws and constitution of this state and the United States, as it may deem expedient and necessary for the better government and regulation of its affairs within said district, in which case such by-laws and provisions so adopted shall extend to said Van Buren Light and Power District as fully, to all intents and purposes, as the other provisions of this act, subject only to alterations or additions by a two-thirds vote, at a legal meeting of the said district called for the purpose.

**Sec. 7. Rates and purposes for which money may be expended.** All individuals, firms and corporations, whether private, public or municipal, shall pay to the treasurer of said Van Buren Light and Power District the rates established by said board of trustees for the electricity used by them either for light, heat, power or other purposes, and said rates shall be uniform within said district. Said rates shall be subject to the approval of the

## CHAP. 182

public utilities commission, and shall be so established as to provide for the following purposes:

1. To pay the current running expenses for maintaining the light and power system contemplated by this act, and interest on all indebtedness.

2. To provide each and every year after April first, nineteen hundred and twenty, a sum equal to not less than one-half of one per cent. nor more than three per cent., and after April first, nineteen hundred and twenty-five, a sum of not less than one per cent. nor more than three per cent of the entire indebtedness of the said Van Buren Light and Power District, which sum shall be set aside as a sinking fund to provide for the final extinguishment of the funded debt. The money set aside for the sinking fund shall be devoted to the retirement of the obligations of the said district or invested in such securities as savings banks are allowed to hold.

**Sec. 8. Incidental powers and privileges.** All the incidental powers, rights and privileges necessary to the accomplishment of the main object herein set forth are granted to the district hereby created.

**Sec. 9. Referendum; how vote shall be taken and how call shall be issued.** This act shall take effect when accepted by a majority vote of the legal voters within said Van Buren Light and Power District, voting at a meeting to be specially called and held for the purpose on the sixteenth day of June, nineteen hundred and seventeen, and George V. Hammond, Willie F. Paradis, Joseph J. Cyr, Robert F. Cyr and Henry A. Gagnon, or either of them, are hereby authorized to call said meeting. The board of registration shall make and provide a separate check list for such of the voters within said Van Buren Light and Power District as are then legal voters of said town, and all warrants issued to said town shall be varied accordingly to show that only such voters therein are entitled to vote thereon. Such special meeting shall be called, advertised and conducted according to the law relating to municipal elections; provided, however, that the board of registration shall not be required to prepare or the town clerk to post a new list of voters, and for this purpose said board shall be in session the three secular days next preceding such election, the first two days thereof to be devoted to registration of voters and the last day to enable the board to verify the corrections of said lists and to complete and close up its records of said session. The town clerk shall reduce the subject matter of this act to the following question: "Shall the act to incorporate the Van Buren Light and Power District be accepted?" and the voters shall indicate by a cross placed against the words "Yes" and "No" their opinion of the same. The result shall be declared by the selectmen of Van Buren, and due certificate thereof filed by the town clerk with the secretary of state.

**Sec. 10. Bond issue authorized.** The said Van Buren Light and Power District is hereby authorized to issue its bonds to such an amount as the public utilities commission may authorize for the purpose of raising the amount required to accomplish the various purposes contemplated by this act, to wit, the building of an electric light or gas system, the acquisition of any existing system or systems and the enlargement or extension of the same, and the accomplishment of all other things necessary, useful or inci-

**CHAP. 183**

dental thereto. Said bonds may be of the date and denomination and payable at such times and places, and bear such rate of interest, as the inhabitants of said Van Buren Light and Power District may determine or authorize their trustees to determine, by vote passed at any legal meeting of said inhabitants called for said purpose and containing an article in the warrant for that purpose.

**Sec. 11. Emergency clause.** This act, two-thirds of all the members elected to each house so directing, shall take effect when approved by the governor.

Approved April 6, 1917.

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## Chapter 183.

**An Act to Create a Volunteer Police Reserve Force for the City of Portland.**

**Emergency preamble.** Whereas, the present conditions of national affairs may induce wanton attempts to injure or destroy docks, elevators, railroad stations and property, public buildings and other buildings by fire, explosions, or other methods in the city of Portland to the injury of said city and its people, and

Whereas, the present police department of said city is not large enough in numbers or discipline to properly preserve the lives and property of its citizens and provide for the peace and safety of said city in time of war, now therefore

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Special reserve police force; duties and compensation.** The mayor of the city of Portland, with the advice and consent of the aldermen of said city, is authorized to appoint, from time to time, such number of persons as they shall deem expedient to constitute a special reserve police force which shall be known as the "Volunteer Police Reserve of the City of Portland." Said reserve police force may be called by the mayor, with the advice and consent of the aldermen, to act temporarily as police officers of said city, in cases of emergency and public danger, and shall serve in connection with, under the rules and regulations of, and with the powers of, the regular police force of the city of Portland, so far as applicable, and shall obey all orders of the mayor of said city, and when employed, shall receive such compensation as the city council may determine.

**Sec. 2. Certain sections of P. & S. L., 1885, c. 486, not applicable; tenure of office of reserve police.** The provisions of sections one to four inclusive, of chapter four hundred and eighty-six of the private and special laws of eighteen hundred and eighty-five, and acts additional thereto and amendatory thereof, entitled "An Act Regulating the Appointment of the Members of the Police Force of the City of Portland," shall not be applicable to appointments in said volunteer police reserve. Persons appoint



ed as members of said police reserve force shall serve during the pleasure of the mayor and aldermen.

**Sec. 3. Injuries to reserve police.** Any member of said police reserve who may be injured while on police duty shall be entitled to the benefits of "The Workmen's Compensation Act."

**Sec. 4. Organization.** The mayor, with the advice and consent of the aldermen, may appoint necessary captains and other commanding officers for said police reserve, below the rank of chief of police. Any member of the regular police force who may be appointed to act as an officer in said reserve shall retain his position on the regular force.

**Sec. 5. Emergency clause.** In view of the emergency cited in the preamble, this act shall take effect when approved.

Approved April 6, 1917.

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## Chapter 184.

An Act to Amend the Charter of the City of Hallowell.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Election to be held in December instead of in March; tenure of office; provisos.** The municipal election for the choice of mayor, aldermen, city constables, and such other officers as may hereafter be elected at large, of the city of Hallowell, and of wardens and ward clerks of the several wards in said city, shall be held on the second Monday of December, annually, beginning with the year nineteen hundred seventeen, instead of on the first Monday of March. Said officers chosen at any annual election and all subordinate officers or agents for the city now elected or appointed for a term of one year (not including the city marshal and street commissioner) shall hold their offices one year from the first Monday of January next following said election, and until others shall be elected or appointed and qualified in their places, subject to removal as now provided by the charter and ordinances of said city; except that those chosen at the election held on the first Monday of March in the year nineteen hundred seventeen and said subordinate officers or agents shall hold their offices from the second Monday of March in the year nineteen hundred seventeen until the second Monday of March in the year nineteen hundred eighteen, and until their successors are elected or appointed and qualified in their places; provided, however, that if section two of this act shall be accepted, as hereinafter provided, by the electors of said city, then the municipal election shall be held biennially, instead of annually, beginning with the second Monday of December in the year nineteen hundred seventeen, and the aforesaid officers chosen at any biennial election and said subordinate officers or agents shall hold their offices two years from the first Monday of January next following said biennial election, and until their successors are elected or appointed and qualified in their places, subject to removal as aforesaid; except that those chosen at the election held on the first Monday

**CHAP. 184**

of March in the year nineteen hundred seventeen and said subordinate officers or agents shall hold their offices from the second Monday of March in the year nineteen hundred seventeen until the second Monday of March in the year nineteen hundred eighteen, and until their successors are elected or appointed and qualified in their places.

**Sec. 2. Biennial elections; proviso.** The municipal election for the choice of mayor, aldermen, city constables, and such other officers as may hereafter be elected at large, of the city of Hallowell, and of wardens and ward clerks of the several wards in said city, shall be held once in two years instead of annually, and all subordinate officers or agents for the city, now elected or appointed for a term of one year (not including the city marshal and street commissioner) shall be elected or appointed, in the manner now provided therefor, and all vacancies in such offices filled for a term of two years and until others shall be elected or appointed and qualified in their places; anything in the charter or ordinances of said city of Hallowell to the contrary notwithstanding, but said subordinate officers or agents shall be subject to removal as now provided by said charter and ordinances. If section one of this act shall be accepted by the electors of said city, said officers chosen at the municipal election held on the first Monday of March in the year nineteen hundred seventeen and all said subordinate officers or agents shall hold their offices from the Monday following said municipal election until the second Monday of March in the year nineteen hundred eighteen and until their successors are elected or appointed and qualified in their places, and thereafter the municipal election shall be held on the second Monday of December biennially, beginning with the second Monday of December in the year nineteen hundred seventeen, and said officers chosen at any biennial December election and all said subordinate officers or agents shall hold their offices, except as above provided, two years from the first Monday of January following said municipal election and until their successors are elected or appointed and qualified in their places, subject to removal as aforesaid. If said section one shall not be accepted by the electors of said city, then the municipal election shall be held on the first Monday of March in the year nineteen hundred seventeen and biennially thereafter on the first Monday of March, and said officers chosen at any biennial March election beginning with the March municipal election in the year nineteen hundred seventeen, which in such case is deemed the first biennial election, and all said subordinate officers or agents shall hold their offices two years from the Monday following said first biennial election, and until their successors are elected or appointed and qualified in their places, subject to removal as aforesaid.

**Sec. 3. City marshal and street commissioner, appointment, tenure, vacancy, proviso.** The city marshal and street commissioner for said city shall be appointed by the mayor and such appointments shall be made and take effect as soon as convenient after the beginning of the mayor's term of office, not exceeding a period of one month, and said officers shall hold their respective offices during the term for which the mayor was elected, and until others are respectively appointed and qualified in their places, subject to removal by the mayor at his pleasure; and the mayor shall have

and exercise the same power of appointment to fill any vacancy from any cause in either of said offices, but any person so appointed to fill a vacancy from any cause other than expiration of the term of office, shall hold said office during the unexpired term of his predecessor, subject to removal by the mayor at his pleasure. Provided, however, that the city marshal and street commissioner elected at the municipal election held on the first Monday of March in the year nineteen hundred seventeen shall hold their respective offices from the Monday following said election to the second Monday of March in the year nineteen hundred eighteen, and until others are appointed and qualified in their places.

**Sec. 4. Referendum as to sections one, two and three; form of questions and ballot; warrant, how prepared.** Sections one, two and three of this act shall take effect only when accepted, as hereinafter provided, by the electors of said city. Said sections shall be submitted to be voted upon by the qualified electors of said city at a meeting to be called, advertised and conducted according to the law relating to biennial meetings for the election of senators and representatives, on the second Monday of September following the passage of this act. The ballots to be used in said meeting shall be prepared by the city clerk and furnished by the city and in such form as to permit each of said first three sections of this act to be voted on separately by an expression of the voter's opinion on the following three questions relating respectively to said first three sections of this act:

I. Shall the municipal elections, in the city of Hallowell for the election of mayor, aldermen, constables, other officers at large and ward officers henceforth be held on the second Monday of December in order that the municipal year may begin on the first Monday of January?

II. Shall the mayor, aldermen, constables, other officers at large and ward officers, be elected and subordinate officers and agents be elected or appointed, biennially to hold office for the term of two years?

III. Shall the city marshal and street commissioner be appointed by the mayor, to serve through the mayor's term of office, subject to removal by the mayor at his pleasure?

Opposite and to the right of each of said questions shall be printed the two words "Yes" and "No" with the usual squares in which the voter is to mark in the manner required by law to express his opinion. Other brief and suitable explanation of the subject matter submitted may be printed on the ballots which in other respects shall conform with all the requirements of law. Such of the sections so submitted as shall receive more affirmative than negative votes at said meeting shall be deemed to have been accepted and shall thereupon be in full force and effect. The result of said meeting shall be declared by the mayor and aldermen, and due certificate thereof filed with the city clerk and with the secretary of state. A printed copy of the full text of the first four sections of this act shall be posted with each notice of said meeting, and two copies shall be kept posted in each voting place in said city during said meeting.

**Sec. 5. P. & S. L., 1850, c. 413, § 3, as amended, further amended.** Section three of chapter four hundred thirteen of the private and special laws of eighteen hundred fifty, entitled "An act to incorporate the city of Hallo-

**CHAP. 184**

well, as amended by chapter thirty-one of the private and special laws of eighteen hundred ninety-nine," is hereby amended by striking out all of said section after the word "vote", in the fourteenth line thereof and by adding the words, 'He shall receive from the city no compensation other than his salary for any service by him rendered in any other capacity or agency'; so that said section as amended shall read as follows:

**'Sec. 3. Duties and powers of mayor.** The mayor of said city shall be the chief executive magistrate thereof. It shall be his duty to be vigilant and active in causing the laws and regulations of the city to be executed and enforced, to exercise a general supervision over the conduct of all subordinate officers, and to cause their violations or neglect of duty to be punished. He may call special meetings of the board of aldermen, when in his opinion the interests of the city require it, by a notice in one or more of the papers printed in this city, or by causing a summons or notification to be given in hand or left at the usual dwelling place of each member of the board. He shall from time to time communicate such information and recommend such measures as the business interests of the city may in his opinion require. He shall preside in the board of aldermen, but shall have only a casting vote. He shall receive from the city no compensation other than his salary for any service by him rendered in any other capacity or agency.'

**Sec. 6. P. & S. L., 1850, c. 413, §4, as amended by P. & S. L., 1887, c. 148, and P. & S. L., 1899, c. 31, further amended.** Section four of said chapter four hundred thirteen of the private and special laws of eighteen hundred fifty, as amended by chapter one hundred forty-eight of the private and special laws of eighteen hundred eighty-seven, and by chapter thirty-one of the private and special laws of eighteen hundred ninety-nine, is hereby amended by striking out the word "fifty" in the thirty-fourth line thereof and inserting the words 'five hundred' in place thereof, and by adding to said section the following: 'Neither the mayor nor any member of the city council shall be elected or appointed during his official term, to any other office under the city government or as agent of the city for any purpose,' so that said section as amended shall read as follows:

**'Sec. 4. Purchasing power increased; other city offices incompatible; subject to modification.** The executive powers of said city generally, and the administration of police, with all the powers of the selectmen of the town of Hallowell, shall be vested in the mayor and aldermen as fully as if the same had been herein particularly enumerated; all other powers now vested in the inhabitants of said town, and all powers granted by this act shall be vested in the mayor and aldermen. The city council shall annually, on the second Monday of March, or as soon thereafter as conveniently may be, elect and appoint all the subordinate officers and agents for the city, except city marshal and street commissioner, for the ensuing year, including a chief engineer and other engineers of the fire department, which chief engineer, or in his absence any two other engineers shall have all power and authority that fire wards now have; shall define their duties and fix their compensation, in cases where such duties and compensation shall not be defined and fixed by the

laws of this state; and may remove any officer when in their opinion sufficient cause for removal exists. All officers shall be chosen and vacancies supplied for the current year, except as hereinafter otherwise directed. All subordinate officers and agents shall hold their offices during the ensuing year and until others shall be elected and qualified in their stead, unless sooner removed by the city council. All moneys received and collected for and on account of the city, by any officer or agent thereof, shall forthwith be paid into the city treasury. The city council shall take care that no moneys shall be paid from the treasury unless granted or appropriated: shall secure a prompt and just accountability by requiring bonds with sufficient penalty and sureties from all persons trusted with the receipt, custody and disbursement of moneys; shall have the care and superintendence of city buildings and the custody and management of all city property with power to let or sell what may be legally let or sold; and to purchase and take in the name of the city, such real or personal property, not exceeding the sum of five hundred thousand dollars, including the property now owned by the town, as they may think useful to the public interest. The fiscal year shall end on the thirty-first day of December in each year. And the city council shall as often as once a year, before the first day of February, cause to be published for the information of the inhabitants, an account of receipts and expenditures and a schedule of the city property for said year, and no money shall be paid from the treasury unless the same be appropriated by the city council, and upon a warrant signed by the mayor, which warrant shall state the appropriations under which the same is drawn. Neither the mayor nor any member of the city council shall be elected or appointed during his official term, to any other office under the city government or as agent of the city for any purpose.'

This section is subject, however, to necessary modification according to section nine of this act.

**Sec. 7. P. & S. L., 1850, c. 413, § 11, amended.** Section eleven of said chapter four hundred thirteen of the private and special laws of eighteen hundred fifty is hereby amended by striking out the word "District" in the nineteenth line thereof and inserting the word 'Superior' in place thereof and by adding thereto the following: 'And said court shall also have original and exclusive jurisdiction of all offenses arising within said city now cognizable by said court, and concurrent jurisdiction with the municipal court of the city of Augusta and the Gardiner Municipal Court, of all such offenses arising within the town of Chelsea'; so that said section as amended shall read as follows:

**'Sec. 11. Superior court jurisdiction in appeals; original and exclusive jurisdiction in city; concurrent jurisdiction in Chelsea.** A police court shall be, and hereby is, established, in and for the city, to be denominated the municipal court of the city of Hallowell, to consist of one judge who shall be appointed and commissioned in the manner provided in the constitution, who shall have concurrent jurisdiction with justices of the peace, in all matters civil and criminal, under twenty dollars, within the county of Kennebec, and original and exclusive jurisdiction in all civil actions in which both parties interested, or in which the party, plaintiff, and the per-

**CHAP. 184**

son or persons summoned as trustees shall be inhabitants of or residents of said city of Hallowell, excepting all actions in which said judge may be interested; and said court shall also have concurrent jurisdiction with justices of the peace and quorum in all cases of forcible entry and detainer, arising in said county, and original and exclusive jurisdiction in all such cases arising in the city, and shall also have original and exclusive jurisdiction of all violations of the by-laws of said city. And any person aggrieved by any judgment awarded by said court may appeal therefrom to the superior court for said county, in like manner as if the same had been awarded by any justice of the peace, or justices of the peace and quorum. And said court shall also have original and exclusive jurisdiction of all offenses arising within said city now cognizable by said court, and concurrent jurisdiction with the municipal court of the city of Augusta and the Gardiner Municipal Court, of all such offenses arising within the town of Chelsea.'

**Sec. 8. P. & S. L., 1850, c. 413, § 20, as amended by P. & S. L., 1899, c. 31, further amended.** Section twenty of said chapter four hundred thirteen of the private and special laws of eighteen hundred and fifty, as amended by chapter thirty-one of the private and special laws of eighteen hundred and ninety-nine, is hereby amended by striking out the words, "he shall give notice in one or two of the papers printed in said city of the time and place of regular ward meetings"; so that said section as amended shall read as follows:

**'Sec. 20. Provision as to publication of ward meetings repealed.** The city clerk shall be the clerk of the board of aldermen; he shall perform such duties as shall be prescribed by the board of aldermen; and shall perform all duties, and exercise all the powers by law incumbent upon or vested in, the town clerk of the town of Hallowell; but the place of regular ward meetings, and also the day and hour, when not fixed by law, shall be determined by the board of aldermen. The board of aldermen may, in the absence of the mayor, choose a president pro tempore, who shall preside at meetings of the board. The board shall keep a record of its proceedings, and judge of the election of its own members; and in case of failure of election or vacancy by death, resignation or otherwise, may order new elections. A quorum for the transaction of business, shall consist of a majority of the members thereof; all meetings of the aldermen shall be open and public, and the presiding officer shall have the power of moderators of town meetings. At any of said meetings, when any two members shall request it, the vote shall be taken by yeas and nays, which shall be recorded by the clerk.'

**Sec. 9. Inconsistent statutes modified to conform; proviso.** All acts and parts of acts inconsistent herewith, and all provisions of the charter and ordinances of the said city of Hallowell inconsistent with this act are hereby modified so as to conform to the provisions of this act; substituting therein for the words "first Monday in (or of) March" the words 'second Monday of December,' and for the words "second Monday in (or of) March" the words 'first Monday of January,' and for the words "annual" or "annually" the words 'biennial' or 'biennially,' and for the words "one

## CHAP. 185

year" the words 'two years,' and striking out the words "city marshal" and the words "street commissioner," wherever such substitution or striking out is necessary to effect the intent of this act. But this section shall take effect as to the subject matter covered by sections one, two, and three, of this act when and only so far as said first three sections or any part of them are finally accepted by the electors of said city of Hallowell, as provided in section four of this act.

Approved April 6, 1917.

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## Chapter 185.

An Act to Amend Section Two of Chapter Two Hundred and Four of the Private and Special Laws of Eighteen Hundred and Eighty-three, as Amended by Section One of Chapter One Hundred and Nineteen of the Private and Special Laws of Nineteen Hundred and Three, Increasing the Jurisdiction of the Municipal Court of the City of Westbrook.

*Be it enacted by the People of the State of Maine, as follows:*

P. & S. L., 1883, c. 204, § 2, as amended by P. & S. L., 1903, c. 119, § 1, further amended. Section two of chapter two hundred and four of the private and special laws of eighteen hundred and eighty-three in relation to the jurisdiction of the municipal court of the city of Westbrook, as amended by section one of chapter one hundred and nineteen of the private and special laws of nineteen hundred and three, is hereby amended by striking out the word "twenty" in line six and inserting in its place the word 'fifty' and by striking out the word "fifty" in line eleven and inserting in its place the words 'two hundred,' so that said section as amended shall read as follows:

'Sec. 2. Original exclusive jurisdiction increased to \$50 and original concurrent jurisdiction increased to \$200, in civil actions. Said court shall have exclusive, original jurisdiction of all offenses against the ordinances and by-laws of said city, and of the local board of health therein, and of such criminal offenses and misdemeanors committed therein, as are cognizable by trial justices; and of all civil actions wherein the debt or damage demanded does not exceed fifty dollars, and both parties reside in said city, except when the judge of said court is interested in any such action as party or attorney; and original jurisdiction concurrent with the superior court of the county of Cumberland in all civil actions wherein the debt or damages do not exceed two hundred dollars, exclusive of costs, in which any party to the action or person summoned as trustee shall reside, or, if not an inhabitant of the state, shall be commorant or have a place of business, in said city.'

Approved April 7, 1917.

## Chapter 186.

An Act to Enable the Town of Mexico in the County of Oxford to Free the Mexico Toll Bridge to Public Travel.

**Emergency preamble.** Whereas, the Mexico toll bridge connecting the towns of Rumford and Mexico, and used by a large percentage of the traveling public in the eastern part of Oxford county, is owned by the Rumford and Mexico Bridge District, which said district consists of a part of the town of Mexico and which said district is willing to sell said bridge and make it a free bridge, and, whereas said bridge does not come within the provision of chapter three hundred nineteen of the public laws of nineteen hundred and fifteen, therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Transfer authorized.** The municipal officers of the town of Mexico are hereby authorized, empowered and directed to purchase the toll bridge owned by the Rumford and Mexico Bridge District, connecting the towns of Rumford and Mexico, for the purpose of making the same a free bridge, and the Rumford and Mexico Bridge District is hereby authorized to sell said bridge.

**Sec. 2. State's apportionment.** For the purpose of aiding in the purchase of said bridge, the sum of three thousand dollars is hereby appropriated to be paid to the treasurer of the town of Mexico as hereinafter directed.

**Sec. 3. County's apportionment.** For the above described use of said bridge, and for the purpose of aiding in the purchase of said bridge, the county of Oxford shall pay to the treasurer of the town of Mexico the sum of three thousand seven hundred and fifty dollars.

**Sec. 4. Rumford's apportionment.** For the above described use of said bridge and for the purpose of aiding in the purchase of said bridge, the town of Rumford shall pay to the treasurer of the town of Mexico the sum of five thousand dollars.

**Sec. 5. Mexico's apportionment.** The town of Mexico shall furnish a sum of money sufficient, together with the eleven thousand seven hundred and fifty dollars hereinbefore provided for, to defray the entire cost of the purchase of said Mexico toll bridge and make said bridge a free bridge.

**Sec. 6. Temporary loan authorized; payment to be made on or before Sept. 1st, 1917.** In order to carry out the provisions of this act the county commissioners of Oxford county and the municipal officers of the towns of Rumford and Mexico are hereby authorized and directed to borrow money temporarily and to issue therefor interest bearing negotiable notes of the county of Oxford and said towns of Rumford and Mexico. All sums of money mentioned in this act shall be paid to the treasurer of the town of Mexico on or before September first, nineteen hundred seventeen.

**Sec. 7. Repair and up-keep; bridge and approaches to be county way.** After said bridge has been made a free bridge, the towns of Rumford and



## CHAP. 187

Mexico shall, within three months thereafter, put said bridge in a state of repair that shall be approved by the state highway commission and the expenses of said repairs shall be shared equally by the two towns. Thereafter the cost of maintenance and up-keep of said bridge shall be borne equally by said towns of Rumford and Mexico, and they shall forever afterwards keep and maintain said bridge as a free bridge. The toll bridge and its approaches connecting the two county highways leading along both banks of the Androscoggin river are hereby declared to be a county way.

Approved April 7, 1917.

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## Chapter 187.

**An Act to Repeal All Special and Private Laws Relating to the Taking of Migratory Fish in Denny's River.**

*Be it enacted by the People of the State of Maine, as follows:*

All special and private laws relating to the taking of migratory fish in Denny's river in Washington county are hereby repealed.

Approved April 7, 1917.

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## Chapter 188.

**An Act Authorizing the Selectmen of the Town of Brooksville to Grant a Private Way Over Tide Water.**

*Be it enacted by the People of the State of Maine, as follows:*

**Location and specifications.** The selectmen of the town of Brooksville are hereby authorized and empowered to locate a private way from the property of J. Howard Wilson, an inhabitant and owner of cultivated land in said town, across the tide water between the cultivated land in said township known as Nautilus Island, a part of the mainland of said Brooksville, and the shore of said town opposite said Nautilus Island; said way to be located over the sand bar covered by tide water at high tide, thence along said shore to the right of the bar several rods until it turns inland; said way over tide water being a part of the way said J. Howard Wilson has petitioned the said municipal officers of Brooksville to lay out and locate for him, to connect his aforesaid property with a highway of said town of Brooksville.

Approved April 7, 1917.

## Chapter 189.

**An Act to Authorize the County of Piscataquis to Reimburse the Town of Brownville to the Extent of Thirty Per Cent. of its Disbursements in the Construction of a Bridge across Pleasant River.**

*Be it enacted by the People of the State of Maine, as follows:*

**Payment of \$3,900 authorized; how money shall be paid.** The county commissioners of the county of Piscataquis are hereby authorized and directed to pay to the town of Brownville, the sum of three thousand nine hundred dollars, in payments as follows: One thousand nine hundred dollars on or before December first, nineteen hundred seventeen, and two thousand dollars on or before December first, nineteen hundred eighteen, the same being thirty per cent of the moneys expended by the said town of Brownville in the erection of a bridge across Pleasant river in said town of Brownville, during the latter part of the year nineteen hundred fifteen, and the spring of nineteen hundred sixteen.

Approved April 7, 1917.

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## Chapter 190.

**An Act to Incorporate the Independence Developing Company, of Kingman.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators, name and purposes.** W. H. Martin, Jerome Butterfield, O. W. Beatham, Hulbert Grant, Charles N. Thompson, J. J. McCormick, Byron E. Lindsay and W. I. Butterfield, their associates, successors and assigns, are hereby incorporated under the name of Independence Developing Company, for the purpose of doing a general manufacturing, illuminating, heating and power business in the town of Kingman, in Penobscot county; also for the purposes of creating, leasing and selling electricity and other power for manufacturing and other purposes. Also for the purpose of supplying the inhabitants of said town with water, lights and heat for all domestic, sanitary and municipal purposes, including the extinguishment of fires; also for the purpose of transmitting to points outside of said town electricity generated within said town to be leased or sold for manufacturing, illuminating, heating and power purposes, with the rights and privileges, and subject to the liabilities and obligations of similar corporations; also for the purpose of constructing and maintaining a sewerage system in the town of Kingman. And said company is authorized and empowered to purchase or otherwise obtain, and to sell or lease personal property, necessary for the prosecution of the purposes of the company, and generally to do all things necessary for and incident to such purposes, including the carrying on of a mercantile business in connection with any of the purposes of the company; also to take, hold and own, by purchase, the stock, bonds or other obligations of other similar corporations and of disposing of the same in any lawful manner.

## CHAP. 190

**Sec. 2. Location of dams, canals, waterways, etc.** Said company is authorized and empowered to locate, construct and maintain dams on the Mattawamkeag river in said town of Kingman, between the mouth of the Moiunkus stream, so-called, and a line drawn across said river which shall be a continuation of the line between the said town of Kingman and the town of Drew; provided, that suitable sluices are constructed and maintained by said company in said dams at its own expense for the passage of logs and other lumber running down said river. Said company is further authorized and empowered to cut, construct and maintain canals and other waterways from said dams to any point in said towns for the purpose of developing the water power on said river; and for the purpose of constructing said dams, canals and other waterways, it may take, occupy and enclose any lands adjoining the same on either side of said river which may be necessary for building or repairing the same and for other necessary purposes, and may blow and remove rocks in the river and dig up and remove land in said river when necessary.

**Sec. 3. May erect poles, extend wires, lay pipes, etc.; proviso.** Said company is further authorized and empowered to construct and maintain in, under, along, other than railroad bridges that now or may hereafter exist, pipes, hydrants, poles, wires and other structures necessary for the purposes of its incorporation, and to replace and repair the same when necessary; to enter upon and excavate any highway, or other ways, within said towns in such manner as least to obstruct the same; to take and hold, by purchase or otherwise rights of way, and in general to do any acts necessary, convenient or proper for carrying out any of the provisions of this act. Nothing in this act, however, shall be construed as giving said company the right to take any part of the right of way of any railroad company under the power of eminent domain given in this act. Said company may cross the right of way of any railroad company with wires, pipes, aqueducts or other structures mentioned in this act and in case of failure to agree with any railroad company as to place, manner and conditions of crossing its right of way with such wires, pipes, aqueducts or other structures, the place, manner and conditions of such crossings shall be determined by the public utilities commission and all work within the limits of any railroad company's location shall be done under the supervision and to the satisfaction of the officers and agents of such railroad company, but at the expense of said Independence Developing Company.

**Sec. 4. May cross watercourses, public and private sewers, etc.** Said company is further authorized and empowered within said town to cross any watercourse, private or public sewer, and to change the direction thereof, when necessary, but in such manner as not to obstruct or impair the use thereof, and said company shall be liable for any injury caused thereby. Whenever said company shall lay down or erect a structure in any highway, way or street or make alterations or repairs upon its works in any highway, way or street, it shall cause the same to be done at its own expense, with as little obstruction to public travel as may be practicable.

**Sec. 5. May erect dams at outlet of lakes tributary to Mattawamkeag river; flowage damages; exemption and proviso.** Said company may erect

**CHAP. 190**

and maintain dams on land which it may acquire by purchase or lease at the outlet of any lake tributary to said Mattawamkeag river, or may acquire by purchase or lease any existing dams on said lakes for the purpose of holding, storing, regulating and controlling the flow of the waters of said Mattawamkeag river, and may hold, store, regulate and control, the waters raised by said dams and draw down the same as may be required for the purpose aforesaid, and said company is hereby empowered to flow such land as may be necessary to carry out the provisions of this act and such corporation shall be liable for all damages caused by said flowage to be ascertained and determined in the manner prescribed in chapter sixty-one of the revised statutes. Since all water held by all existing dams is subject to log driving purposes, nothing herein contained shall be considered as abridging or curtailing those rights or the existing rights of the Mattawamkeag Lake Dam Company, and nothing in this act shall apply to any waters in Washington county.

**Sec. 6. Rights of way; adjustment of damages.** Said company may enter for the location, erection and maintenance of the dam mentioned in this act, and may by its agents with teams, or otherwise, pass and repass over the land of other persons for the purposes aforesaid and for the operation and management of such dams. Said company shall be held liable to pay all damages that shall be sustained by any person or persons by the taking of any rights of way, or by excavating through any land for the purpose of surveying for, locating, laying, building or re-erecting dams, canals, reservoirs, pipes, hydrants, poles, piers and other structures by taking and holding any lands necessary for flowage, and for other injuries resulting from said acts. And if any person sustaining damage as aforesaid, cannot agree with said company upon the sum to be paid therefor, either party, upon petition to the county commissioners of Penobscot county, within twelve months after plans are filed, as hereinafter provided may have said damages assessed by them and subsequent proceedings and right of appeal thereon shall be had in the same manner and under the same condition, restrictions and limitations as are by law prescribed in the case of damages of laying out highways; failure to apply for damages within said twelve months shall be held to be a waiver of the same.

**Sec. 7. Locations and statement of damages, company willing to pay, to be filed in registry of deeds.** Said company shall file in the register of deeds' office, in the county of Penobscot, plans for the location of lands taken under the provisions of this act, and no entry shall be made on lands owned by other persons, except to make surveys until the expiration of said ten days from filing, and with said plans said company may file a statement of the damages it is willing to pay for any property so taken, and if the amount finally awarded does not exceed the sum, the company shall recover costs against such persons, otherwise such persons shall recover costs against the company.

**Sec. 8. May enter into contracts to supply water.** Said company is further authorized and empowered to make contracts with other corporations and with the inhabitants of any city, town or village corporation which now or hereafter may exist, for the purpose of supplying water, light, heat

## CHAP. 190

or power as contemplated by this act, and any other corporation, and the inhabitants of any city, town or village corporation are hereby authorized to enter into contracts with said company for the supplying of water, light, heat or power for a term of years.

**Sec. 9. Capital stock; bond issue authorized.** The capital stock of said company shall not exceed five hundred thousand dollars, divided into shares of one hundred dollars each. And for the purpose of carrying out any of the provisions for which said company is incorporated it is hereby authorized and empowered to issue its bonds in such form and amount and on such time and rates as it may deem expedient, not exceeding the amount of its capital stock actually subscribed for, and secure the same by mortgage of its property and franchises.

**Sec. 10. First meeting, how called.** Any two corporators named in this act may call the first meeting of this corporation, by mailing a written notice, signed by them, postage paid, to each of the other corporators, seven days at least before the day of the meeting, naming the time, place and purpose of such meeting.

**Sec. 11. Transmission beyond confines of state prohibited.** It shall be unlawful for said corporation to transmit electric current for sale or use beyond the limits of this state, or to contract with any person, firm or corporation for the transmission or sale of electric current beyond the limits of this state, and said corporation shall not be permitted to acquire in any manner the franchise of, or consolidate with, or transfer or lease its property, rights and franchises to, any other corporation, firm or person now transmitting or having the right to transmit electric power beyond the confines of the state, without express authority of the legislature.

**Sec. 12. Property may be taken over by state; compensation, how determined; procedure in case of disagreement.** All the property, rights and franchises within the State of Maine acquired, erected, owned, held or controlled by this corporation or its successors or assigns at any time after this act shall take effect, shall be subject to be taken over, and become the property of the state, whenever said state shall determine by proper legislation that the public interests require the same to be done. Upon the taking effect of such legislation, the ownership of said property, rights and franchises shall immediately be transferred to and vested in said state, and said state shall make just compensation to the owner or owners thereof for the property, rights and franchises so taken, except the franchises conferred by the State of Maine upon this corporation, which said franchises shall be wholly excluded in the determination of the amount to be paid to said corporation by the state. The fair value of the property, rights and privileges so taken by the state, subject to the exemption hereinbefore mentioned, shall be determined by agreement between this corporation and such officers and agents of the state as shall be thereunto authorized to act in its behalf by the act which authorized the taking of said property, rights and privileges; and failing of such agreement within six months after said act takes effect, the supreme judicial court in any county where any of the property, rights and privileges so taken are situated, may upon petition of

**CHAP. 191**

either party appoint three disinterested persons as appraisers to fix and determine the amount of money to be paid for the fair value of the property, rights and privileges so taken, subject to the exception aforesaid; the method of procedure and the duties and powers of the appraisers to be determined by the act authorizing such taking.

**Sec. 13. Proviso as to date when effective.** This act shall not take effect until all rights and privileges of the Kingman Developing Company granted by chapter three hundred twenty-three of the private and special laws of nineteen hundred and seven, as revived and extended by chapter one hundred and two of the private and special laws of nineteen hundred fifteen shall have terminated and become null and void.

Approved April 7, 1917.

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## Chapter 191.

An Act Relating to Municipal Elections in the Town of Mount Desert.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Referendum; elections to be conducted in accordance with following sections.** The town of Mount Desert, Hancock county, Maine, may at any legal meeting of the voters called by a warrant containing an article for the purpose, accept the provisions of this act, and when so accepted, all elections for town officers now required by law to be chosen by ballot shall thereafter be in accordance with the provisions herein provided, except the moderator and town clerk, who shall be chosen as now provided by law.

**Sec. 2. Town may determine officers to be chosen by ballots; exception.** When said town so accepts the provisions of this act, it shall at the same time or meeting determine what officers, if any, not now required by law to be chosen by ballot shall be chosen in the manner herein provided. All such matters shall be stated in the warrant calling such meeting. No change shall be thereafter made in the officers to be chosen by ballot or in the number or terms thereof, except at a meeting held at least thirty days before any annual town election.

**Sec. 3. Time of opening and closing polls to be stated in warrant.** All warrants for town meetings for the election of officers as herein provided shall specify the time of opening the polls and the time when the same may be closed, but the polls shall be kept open at least three hours.

**Sec. 4. Nomination of candidates, how made.** Nominations for candidates shall be made by nomination papers signed in the aggregate for each candidate by qualified voters of said town not less in number than one for every twenty-five voters who have registered for the last preceding state election in said town; but the voters so signing shall in no case be less than twenty in number, and each voter may subscribe to as many nomination papers for each office as there are members to be elected thereto, and no more. Nomination papers shall, besides containing the names of candi-

dates, specify as to each candidate the office for which he is nominated, and may include a designation of such candidacy expressed in not more than three words.

**Sec. 5. Nomination papers, where filed; objections, how settled.** Nomination papers shall be filed with the town clerk of said town at least six days previous to the day of election, and nomination papers being so filed and being in conformity with the provisions of this act shall be deemed to be valid unless objection thereto is duly made in writing. Such objections or questions arising in the case of nominations shall be considered by the board of registration of voters, and the decision of a majority of the board shall be final. In case such objection is made, notice shall forthwith be delivered to the candidate affected thereby. All nomination papers when filed shall be open under proper regulations to public inspection, and the town clerk shall preserve the same in his office for not less than one year.

**Sec. 6. Form of ballots; number of selectmen, how determined.** All ballots for use in such elections shall be prepared by the town clerk. Every general ballot, or ballot intended for the use of all voters, which shall be printed in accordance with the provisions of this act, shall contain the names of all candidates whose nominations for any offices specified in the ballot have been duly made, and shall contain no other names. The names of candidates for each office shall be arranged under the designation of the office in alphabetical order according to the surnames. All candidates for selectmen shall be listed alphabetically without any designation as first, second, etc. Previous to balloting for selectmen, the voters may determine by majority whether to elect three, five or seven. Without such determination, three shall be elected. The three (or if so determined, five or seven) having the largest number of votes shall be declared elected. There shall be left at the end of the list of candidates for each different office as many blank spaces as there are persons to be elected to such office, in which the voter may insert the name of any person not printed on the ballot for whom he desires to vote as candidate to such office. Whenever any question is submitted to the vote of the people of the town, in accordance with a statute providing for such submission, such questions shall be printed upon the ballot after the list of candidates. The ballot shall be so printed as to give to each voter a clear opportunity to designate by a cross mark (X) in a square at the right of the name and designation of each candidate, his choice of candidates and his answer to the questions submitted, and in the ballot may be printed such words as will aid the voter to do this, as "Vote for one," "Vote for three", "Yes", "No", and the like. Before distribution, the ballots shall be folded in marked creases so as to measure when folded not less than four and one-half nor more than five inches in width, and not less than six nor more than thirteen and one-half inches in length. On the back and outside, when folded, shall be printed "Official Ballot for the Town of Mount Desert", and the date of election and the signature or facsimile of the signature of the town clerk.

**Sec. 7. Ballots to be fastened together in blocks; record to be kept by clerk.** All ballots when printed shall be folded as hereinbefore provided

**CHAP. 191**

and fastened together in convenient numbers in packages, books or blocks, in such manner that each ballot may be detached and removed separately. A record of the number of ballots printed and furnished shall be kept and preserved by the town clerk.

**Sec. 8. Number of ballots to be furnished.** There shall be provided for every such election such general ballots, of not less than seventy-five for each fifty and fraction of fifty registered voters therein.

**Sec. 9. Town clerk to provide instructions and specimen ballots.** The town clerk shall provide full instructions for the guidance of voters at such elections, as to obtaining ballots, as to the manner of marking them, and the method of obtaining assistance, and as to obtaining new ballots in place of those accidentally spoiled; and shall cause the same, together with copies of sections twenty-seven, twenty-eight, twenty-nine and thirty of chapter one hundred and two of the acts of the year eighteen hundred and ninety-one and any amendments thereof, to be printed in clear type, on separate cards, to be called cards of instruction. He shall also cause to be printed on tinted paper, and without the indorsements, ten or more copies of the form of the ballot provided for such election, which shall be called specimen ballots, and shall be furnished with the other ballots provided therefor.

**Sec. 10. List to be posted four days prior to election.** At least four days prior to the election, the town clerk shall cause to be conspicuously posted in one or more public places a printed list containing the names of all candidates to be voted for in such town, and any designation as provided in section four, substantially in the form of a general ballot to be so used therein.

**Sec. 11. Ballots, etc., to be packed in sealed packages.** The ballots, together with the specimen ballots and cards of instruction printed by the town clerk as herein provided, shall be packed by him in sealed packages, with marks on the outside designating the number of ballots of each kind enclosed.

**Sec. 12. Ballot clerks to be appointed.** Before the opening of the polls the selectmen shall appoint three or more ballot clerks, and in case of vacancies after the opening of the polls the moderator shall fill the same. The ballot clerks shall be sworn and have charge of the ballots and shall furnish them to the voters in the manner hereinafter provided.

**Sec. 13. Ballots to be delivered on day of election; cards of instruction to be posted by town clerk; duplicate list of voters for use of ballot clerks.** The town clerk shall, before the opening of the polls on the day of election, deliver the ballots to the ballot clerks, who shall receipt therefor, which receipt shall be kept in the clerk's office. Before the opening of the polls the town clerk shall cause the cards of instruction to be posted at or in each voting shelf or compartment provided for the marking of the ballots, and not less than three such cards and not less than five specimen ballots to be posted in or about the polling room, outside the guard rails. No ballots prepared under this act shall be delivered to voters until the moderator and



**CHAP. 192.**

town clerk shall have been chosen in the manner now provided by law. A duplicate list of the qualified voters shall be prepared for the use of the ballot clerks, and all provisions of law relative to the preparation, furnishing, use and preservation of check lists shall apply to such duplicate lists.

**Sec. 14. Plurality vote; procedure in case of tie.** Except as herein provided, the election shall be conducted as now provided by law. All officers voted for in the manner as herein provided shall be elected by a plurality vote. In case of failure to elect any officer or officers so voted for by reason of a tie vote, the meeting shall be adjourned to a day certain, when such officer or officers shall be chosen as herein provided.

Approved April 7, 1917.

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## **Chapter 192.**

**An Act to Create a Board of Harbor Commissioners for the Harbor of Portland, and  
Define Its Powers.**

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Board of Harbor commissioners created; vacancies, how filled.** Four persons shall be selected in the manner provided for by section two of this act, two of whom shall always be residents of the city of Portland, and two residents of the city of South Portland, to be known as the Board of Harbor Commissioners for the Harbor of Portland, hereinafter referred to as the board. Whenever a vacancy occurs in the board by reason of the expiration of the term of service, the governor, with the advice and consent of the council, shall fill such vacancy, and the person so appointed shall hold said office for the term of four years. In the event of the death or resignation of any member of said board, or his removal from the city of which he was a resident at the time of his appointment, the governor, with the advice and consent of the council, shall fill said vacancy by the appointment of a resident of the same city; and the person so selected shall continue to hold said office until the end of the term of the one he succeeds, provided, however, that nothing in this act shall be construed to affect the eligibility for service of any member of either board of said cities as now constituted.

**Sec. 2. Choice of members of first board, how effected, tenure of office, organization.** The present boards of Harbor Commissioners for the City of Portland and of the city of South Portland shall, immediately after the taking effect of this act, or as soon thereafter as may be deemed advisable, meet separately and determine, by lot, the two members from each of said boards who shall constitute the members of the board hereby created; and as soon as such selections are made, the four persons so selected, shall meet and proceed to elect from the members of said board, a chairman and a clerk, adopt a corporate seal, and, may then, or at any time thereafter, adopt such rules and regulations as are necessary for the proper conduct of the business of said board; and at the same meeting, or as soon thereafter as practicable the board shall determine by lot the term of office of

**CHAP. 192**

each member, so that one member shall retire each year; and a record of such action shall be made by the clerk of the board; and a certificate thereof, signed by the chairman and attested by the clerk, shall be filed and recorded in the records of the city of Portland, and in the records of the city of South Portland.

**Sec. 3. Location of office; maps, charts, etc. of present boards to be transferred and preserved; reports to be made to respective boards before expense is incurred.** Said board shall have an office in the city of Portland in which shall be kept all maps, charts, plans, and documents relating to the lands and waters over which it has control; and the present boards of commissioners for the city of Portland and for the city of South Portland, shall deliver to the board hereby created, such maps, charts, plans, and documents now in the custody of said boards respectively, relating to the waters and lands heretofore in charge of said boards. And the boards shall adopt measures to preserve and protect said maps, charts, plans and documents, and arrange so that they may be accessible to those interested, under such rules and regulations as said board may adopt. Said board shall make, or cause to be made, such further maps and plans for the comprehensive development of said harbor and the approaches thereto as it may deem proper; and to accomplish said end, the members of said board shall keep themselves informed of the present and probable future requirements of steamships and shipping, and as to the best means which can be provided at said port for the accommodation thereof; and it shall also investigate and determine, so far as practicable, what improvements can be made to said harbor by changing the location of the breakwater, enlarging anchorages, deepening channels and establishing and maintaining such further lights, buoys and other aids to navigation as will make the docks safer and more advantageous, and the approach and entrance to said harbor more practicable; but said board, before incurring any expense under this act, shall submit a report in writing to the mayor and city council of said city of Portland, if the proposed improvement relates to that part of the harbor within the limits of that city; and a like report to the mayor and city council of said city of South Portland, if the proposed improvement relates to that part of the harbor within the limits of the latter city, stating what action it deems necessary in the furtherance of the purposes of this act, and asking for the necessary appropriation to accomplish such ends.

**Sec. 4. Harbor of Portland; limits described.** The harbor of Portland shall include, and said board shall be vested with, jurisdiction over the entire harbor and tidal waters within the limits of the city of Portland, including the islands belonging thereto, and its tidal waters within the limits of the city of South Portland, and over the receiving basins and reservoirs of said harbor including the tidal waters of Fore river, Back cove, and northeasterly along the shore to the easterly side of the mouth of the Presumpscot river to the Grand Trunk Railway Company's bridge, and about said islands; and also southerly and easterly of the lines of said harbor, so far as the jurisdiction of the state extends, including all channels and entrances into said harbor, (so far as the same are not under the exclu-

sive control of the United States), and also including all coves, inlets, and other parts where the tide ebbs and flows, within the limits of said cities.

**Sec. 5. Board may establish harbor lines; extension and alterations of wharves, etc., without consent of board, prohibited.** The board may, from time to time, establish harbor lines over the whole, or any part, of the waters and territory within its jurisdiction; and thereafter from time to time, alter and modify the same as in the judgment of said board changes in navigation may require.

The creation or maintenance of any obstruction in any of the navigable waters of said harbor, or in any part of said harbor under the jurisdiction of said board (except by the United States), without first obtaining a written permit from said board, is hereby prohibited; and it shall be unlawful to enlarge, or extend any wharf heretofore built, or to build, or commence to build, any wharf, pier, dolphin, bulkhead, or other structure, or dump any stones, or other material into any of the waters, or upon any part of the flats, or to excavate any part of said harbor, or to fill in any part thereof, or modify the course, location or condition of the water of said harbor without such permit.

**Sec. 6. Application for permission to build or extend wharves, etc., how made; procedure.** Any person, firm or corporation intending to do any of the acts referred to in the preceding section, shall first make written application to said board, stating the location, limits and boundaries, as nearly as may be, of such intended erections, extensions, obstructions, filling or excavating, and ask a permit therefor. Said board, upon receiving such application, shall give at least five days' public notice of the pendency of said petition, and shall therein designate a day on which it will meet on, or near, the premises described in said application, and examine the same; and if, upon such examination and hearing of all parties interested, said board decides that such erection, extension, obstruction, filling or excavation, will not interfere with navigation, nor injure the rights of others, and determine to allow the same, it shall issue to the applicant a permit under the hands of its members and the seal of the board, authorizing such applicant to make the erection, extension, obstruction, filling, or excavation therein stated, and to maintain the same within the limits mentioned. The application, with the notice, and proceedings thereon, and the permit granted, shall be recorded by the clerk in a book kept for that purpose, to be entitled "Record of Permits Granted by the Board of Harbor Commissioners for the Harbor of Portland;" and no such permit shall be valid unless signed by at least three members of the board. Said board shall also fix a reasonable time for the completion of the work authorized under such permit. If the members of the board shall, at any time, be unable to agree upon any pending application, then they shall call upon any judge of the federal court residing in the state, who shall, in such event, be qualified to act as a member of said board, and the decision of the majority of the board as then existing, shall be decisive of such application; and the permit, if any is issued, shall show that such judge acted on such matter.

**Sec. 7. Members of board to receive no compensation; fee for permit, how expended.** No compensation shall be paid to the members of said

**CHAP. 192**

board for their services; but if a permit be granted, twenty-five dollars shall be paid by the petitioner to said board, the same to be applied by said board in paying expenses of the board in connection with applications for permits and in carrying out the purposes of this act.

**Sec. 8. Penalty for violation and for pollution of harbor waters.** Whoever shall violate any provisions of this act or who shall pollute the waters of said harbor, other than through the ordinary use of sewers and drain pipes, shall be deemed guilty of misdemeanor, and liable to prosecution therefor, in any court of competent jurisdiction; and on conviction, be punished by fine not exceeding five hundred dollars; and may also be sentenced to pay all expenses for the abatement or removal of such erection, obstruction, or deposit, and stand committed until the same shall be paid or satisfactory security given therefor.

**Sec. 9. Writs of injunction.** Whenever on application of the board it shall be made to appear to the supreme judicial court, at any term thereof holden in the city of Portland, or to any justice thereof out of term time, that any person, firm or corporation is violating, or has violated any provision of this act, such court or justice may forthwith issue a writ of injunction to stay all proceedings adjudged to be in violation of this act until further order, and may after hearing dissolve, continue, or make such injunction permanent and grant such further relief as justice may require, and may adjudge that the person, firm, or corporation so violating any provision of this act, shall pay all costs and expense of such proceeding.

**Sec. 10. Pilots; board may issue a branch upon examination; shall be recorded; subject to revocation.** Said board shall appoint such number of pilots for the harbor of Portland as it deems necessary for the safety and convenience of commerce, fix and establish such compensation for the services of said pilots as may, from time to time, be deemed just and reasonable. Persons desiring a branch shall make written application to said board, stating their qualifications therefor; and said board shall make careful examination and investigation of the qualifications of the applicant, and if satisfied that he has the requisite qualifications, may give the applicant a branch under the hands of its members and the seal of the board, authorizing such person to act as pilot for the term of one year from the date of his appointment; and thereafter, said board may from time to time, renew the same.

Said branch may be revoked at any time by said board, for negligence, incapacity, or for any other reason that said board may deem sufficient. The branch, so granted, shall be recorded by the clerk of said board in a book kept for that purpose, entitled "Pilots for the Port of Portland;" and the clerk shall receive from the applicant, for making said record, the sum of one dollar.

**Sec. 11. Board to establish harbor rules to be enforced by harbor master and deputy.** Said board shall, from time to time, adopt such rules and regulations as it deems necessary and proper, not inconsistent with law, for keeping open convenient channels for the passage of vessels in the waters under its control; and it may establish the boundary lines of such chan-

**CHAP. 192**

nels and assign and provide suitable portions of said harbor for anchorages, and fix reasonable penalties for anchoring vessels in such channels. It may also fix reasonable penalties to be imposed upon any one in charge of any vessel which shall not be promptly moved after notice of any violation of this section. It may grant special permits to wrecking plants and others requiring the temporary use of any part of such channels; fix and determine the time when, and the circumstances under which, vessels may lie at the ends of or alongside of wharves; and upon what notice they shall move from such location. The rules and regulations so adopted, shall be enforced and carried out by a harbor master and deputy appointed by the board in the manner provided in the following section and it shall be the duty of said harbor master, or his deputy, to collect in the name of said board, all penalties incurred for the violation of such rules and regulations as may be advised by said board; and the moneys so received shall be applied by said board in carrying out the purposes of this act.

**Sec. 12. Harbor master and deputy; appointment, tenure, compensation; city of Portland to provide for transportation facilities.** Said board shall appoint some competent person as harbor master and also a deputy, but before either shall be qualified to act, their appointment shall be approved by the mayor of the city of Portland; and the persons so appointed shall receive such compensation as the city council of said city of Portland shall, from time to time, fix and allow. In the absence, or inability of said harbor master to act, the deputy shall have all the powers and authority of the harbor master. The harbor master and deputy shall hold office for the term of one year from the date of the approval of their appointment; but either may be removed by said board at any time for negligence, inefficiency, or for any other reason deemed sufficient by the board; and said board shall fill the vacancy thereby occasioned, in the manner hereinbefore provided. The harbor master shall be provided by the city of Portland with transportation necessary for the performance of his duties.

**Sec. 13. Harbor master or deputy may cause vessels to change anchorage; additional powers.** Said harbor master, or his deputy, shall cause any vessel or vessels, anchoring within the channel lines established by said board, or anchoring in such a manner that any portion of the hull, spars or booms shall extend beyond said lines, due to the tide or wind, or which said harbor master finds in any manner obstructing the free movement or anchorage of vessels in any part of said harbor, to move to such anchorage as he may designate for said purpose; and in addition to the powers prescribed by this act, said harbor master and his deputy shall have all the authority conferred upon harbor masters under the provisions of the general law.

**Sec. 14. Harbor master or deputy may put crew on vessel or may employ tug to enforce orders; lien created.** If any vessel violating the provisions of the two preceding sections is without a crew on board, or if the master or person in charge neglects or refuses to move such vessel upon the order of said harbor master, or his deputy, then such harbor master or his deputy, may put a crew on board, or he may employ a steam tug or oth-

**CHAP. 192**

er tow boat and move such vessel at the cost and risk of the owner or owners thereof; and the expense occasioned thereby shall constitute a lien upon said vessel, which said harbor master, or his deputy, may enforce in the name of said board in any manner authorized by law.

**Sec. 15. Assault upon or interference with harbor master or deputy.** If the harbor master or his deputy, is obstructed, hindered or delayed in the discharge of the duties of said office, or if any assault is committed upon either of them while in the discharge of their duties, or upon any person assisting them, under the provisions of this act, such harbor master or his deputy, shall have authority without warrant to arrest such person, or persons, so violating the provisions of this act, and deliver them to the police authorities; and such person or persons, upon conviction shall be punished in the manner now provided by law for similar offenses.

**Sec. 16. Jurisdiction extended to other offenses.** The harbor master, and such of the policemen of the city of Portland as may at any time be assigned to the policing of said harbor, shall have the right to pursue and arrest without warrant, any person found violating any of the laws of this state, or who are violating or may have violated any of the rules and regulations issued by said board under any provisions of this act; and said harbor master or such policemen may pursue and arrest such person upon any of the waters of Casco bay, or upon any of the islands in any of the towns where such person may be found.

**Sec. 17. Board to report annually.** The board shall, on the first day of December of each year, or as soon thereafter as practicable, submit a report of the doings of the board to the mayor and city council of the city of Portland, and a like report to the mayor and city council of the city of South Portland. It shall also make such recommendations respecting legislation both by the state and federal governments, as in its opinion may be necessary or expedient to develop the commerce of said port, improve the access thereto, and enable said board to administer more efficiently the affairs of said port, regulate the shipping therein, and provide for the use of the piers, docks and terminal facilities, and also for improving the pilotage service at said port.

**Sec. 18. Compensation of members of board.** The two members of the board residents of said city of Portland, shall be entitled to receive from said city, such compensation for services actually performed by them as the city council of said city may from time to time, fix and allow; and the two members of the board, residents of said city of South Portland, shall receive from said city of South Portland, such compensation for the services actually performed by them as the city council of said city of South Portland may, from time to time, fix and allow.

**Sec. 19. Inconsistent statutes repealed.** Chapter six hundred and fifty-four of the private and special laws approved on the third day of April, eighteen hundred and fifty-six; chapter one hundred and fifty-one of the private and special laws approved on the eighteenth day of February, eighteen hundred and fifty-eight; chapter one hundred and sixty-one of the private and special laws approved on the twenty-fourth day of February,

**CHAP. 198**

eighteen hundred and fifty-eight; chapter five hundred and fifty-four of the private and special laws approved on the twenty-fourth day of February, eighteen hundred and seventy-four; chapter three hundred and eighty-three of the private and special laws approved on the seventh day of February, eighteen hundred and seventy-seven; chapter sixty-one of the private and special laws approved on the twenty-fourth day of February, eighteen hundred and eighty-one; chapter thirty of the private and special laws approved on the twelfth day of February, eighteen hundred and ninety-five; chapter three hundred and forty-eight of the private and special laws approved on the thirty-first day of March, nineteen hundred and seven; chapter three hundred and one of the private and special laws approved on the twenty-fourth day of March, nineteen hundred and nine; chapter one hundred and eighty-four of the private and special laws approved on the first day of April, nineteen hundred and fifteen; and an act to authorize the board of harbor commissioners of the city of Portland to alter and modify the harbor line, approved September thirtieth, nineteen hundred and sixteen, relating to the harbors of Portland and South Portland, and the boards of commissioners for said harbors, are hereby repealed; and all acts amendatory of, or additional to, the aforesaid acts; and all acts or parts of acts, inconsistent with the provisions of this act, so far as they apply to the harbors of Portland and South Portland, are hereby repealed.

Approved April 7, 1917.

## Chapter 193.

An Act to Create the Auburn Sewerage District and Transferring to it the Sewer System of the City of Auburn.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Auburn Sewerage District created; affairs managed by board of six trustees; choice, tenure, organization, qualification; ex-officio members.** The territory and people constituting the city of Auburn shall constitute a body politic and corporate under the name of the Auburn Sewerage District for the purpose of maintaining and extending the sewer system in said district in accordance with the subsequent provisions of this act. Said district shall have a common seal and power to sue and be sued. The affairs of said sewerage district shall be managed by a board of six trustees, which in the first instance shall be the present members of the Auburn Water Commissioners. The trustees of the Auburn Sewerage District hereby created shall each hold office according to the respective terms of office which they now hold as members of the Auburn Water Commissioners, and upon the expiration of said terms of office one trustee shall thereafterwards be elected annually in the month of March by the city council of Auburn to serve for a term of six years. The city council may at any time fill any vacancy in said trustees caused by death, resignation or otherwise, or in the first instance by the refusal to act of any member or members of the Auburn Water Commissioners above denominated; in such case, however,

**CHAP. 192**

er tow boat and move such vessel at the cost and risk of the owner or owners thereof; and the expense occasioned thereby shall constitute a lien upon said vessel, which said harbor master, or his deputy, may enforce in the name of said board in any manner authorized by law.

**Sec. 15. Assault upon or interference with harbor master or deputy.** If the harbor master or his deputy, is obstructed, hindered or delayed in the discharge of the duties of said office, or if any assault is committed upon either of them while in the discharge of their duties, or upon any person assisting them, under the provisions of this act, such harbor master or his deputy, shall have authority without warrant to arrest such person, or persons, so violating the provisions of this act, and deliver them to the police authorities; and such person or persons, upon conviction shall be punished in the manner now provided by law for similar offenses.

**Sec. 16. Jurisdiction extended to other offenses.** The harbor master, and such of the policemen of the city of Portland as may at any time be assigned to the policing of said harbor, shall have the right to pursue and arrest without warrant, any person found violating any of the laws of this state, or who are violating or may have violated any of the rules and regulations issued by said board under any provisions of this act; and said harbor master or such policemen may pursue and arrest such person upon any of the waters of Casco bay, or upon any of the islands in any of the towns where such person may be found.

**Sec. 17. Board to report annually.** The board shall, on the first day of December of each year, or as soon thereafter as practicable, submit a report of the doings of the board to the mayor and city council of the city of Portland, and a like report to the mayor and city council of the city of South Portland. It shall also make such recommendations respecting legislation both by the state and federal governments, as in its opinion may be necessary or expedient to develop the commerce of said port, improve the access thereto, and enable said board to administer more efficiently the affairs of said port, regulate the shipping therein, and provide for the use of the piers, docks and terminal facilities, and also for improving the pilotage service at said port.

**Sec. 18. Compensation of members of board.** The two members of the board residents of said city of Portland, shall be entitled to receive from said city, such compensation for services actually performed by them as the city council of said city may from time to time, fix and allow; and the two members of the board, residents of said city of South Portland, shall receive from said city of South Portland, such compensation for the services actually performed by them as the city council of said city of South Portland may, from time to time, fix and allow.

**Sec. 19. Inconsistent statutes repealed.** Chapter six hundred and fifty-four of the private and special laws approved on the third day of April, eighteen hundred and fifty-six; chapter one hundred and fifty-one of the private and special laws approved on the eighteenth day of February, eighteen hundred and fifty-eight; chapter one hundred and sixty-one of the private and special laws approved on the twenty-fourth day of February,



## CHAP. 198

eighteen hundred and fifty-eight; chapter five hundred and fifty-four of the private and special laws approved on the twenty-fourth day of February, eighteen hundred and seventy-four; chapter three hundred and eighty-three of the private and special laws approved on the seventh day of February, eighteen hundred and seventy-seven; chapter sixty-one of the private and special laws approved on the twenty-fourth day of February, eighteen hundred and eighty-one; chapter thirty of the private and special laws approved on the twelfth day of February, eighteen hundred and ninety-five; chapter three hundred and forty-eight of the private and special laws approved on the thirty-first day of March, nineteen hundred and seven; chapter three hundred and one of the private and special laws approved on the twenty-fourth day of March, nineteen hundred and nine; chapter one hundred and eighty-four of the private and special laws approved on the first day of April, nineteen hundred and fifteen; and an act to authorize the board of harbor commissioners of the city of Portland to alter and modify the harbor line, approved September thirtieth, nineteen hundred and sixteen, relating to the harbors of Portland and South Portland, and the boards of commissioners for said harbors, are hereby repealed; and all acts amendatory of, or additional to, the aforesaid acts; and all acts or parts of acts, inconsistent with the provisions of this act, so far as they apply to the harbors of Portland and South Portland, are hereby repealed.

Approved April 7, 1917.

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## Chapter 193.

An Act to Create the Auburn Sewerage District and Transferring to it the Sewer System of the City of Auburn.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Auburn Sewerage District created; affairs managed by board of six trustees; choice, tenure, organization, qualification; ex-officio members.** The territory and people constituting the city of Auburn shall constitute a body politic and corporate under the name of the Auburn Sewerage District for the purpose of maintaining and extending the sewer system in said district in accordance with the subsequent provisions of this act. Said district shall have a common seal and power to sue and be sued. The affairs of said sewerage district shall be managed by a board of six trustees, which in the first instance shall be the present members of the Auburn Water Commissioners. The trustees of the Auburn Sewerage District hereby created shall each hold office according to the respective terms of office which they now hold as members of the Auburn Water Commissioners, and upon the expiration of said terms of office one trustee shall thereafterwards be elected annually in the month of March by the city council of Auburn to serve for a term of six years. The city council may at any time fill any vacancy in said trustees caused by death, resignation or otherwise, or in the first instance by the refusal to act of any member or members of the Auburn Water Commissioners above denominated; in such case, however,

**CHAP. 198**

the trustee so appointed shall hold office for the unexpired term of the member whose office is made or left vacant. The mayor of the city for the time being shall be ex-officio a trustee of the Auburn Sewerage District. The city treasurer of the city of Auburn for the time being shall be treasurer ex-officio of said sewerage district, and shall keep the accounts of the money received and disbursed by him as treasurer of the city separate and distinct from those of the money received and disbursed by him as treasurer of said sewerage district. Said trustees shall organize by electing one of their number president and by electing a clerk, whose compensation they shall fix, at a meeting to be held as soon as may be after this act shall become a law and annually in the month of March after the appointment by the city council of one member as herein provided.

Trustees of the Auburn Sewerage District shall qualify for office by taking oath for the faithful discharge of their duties before a justice of the peace, who shall make a record thereof, to be preserved in the records of the sewerage district.

**Sec. 2. District to assume rights and powers conferred upon city of Auburn and municipal officers.** All powers and duties which may be exercised with respect to the sewer system conferred upon the city of Auburn, or upon the municipal officers of the city of Auburn by the general laws of the state, except as hereinafter excepted, shall be vested in the Auburn Sewerage District, and the words "town clerk" in said act shall be construed to mean the clerk of said sewerage district. No contracts, rights, liabilities, takings, assessments, suits, or other matters now existing or pending shall be affected by this act, but said sewerage district shall in all respects and for all purposes become the successors of the city of Auburn and the municipal officers of the city of Auburn in all matters covered by this act.

**Sec. 3. Transfer of sewer system authorized; consideration; term "sewer system" defined.** The Auburn Sewerage District is hereby authorized and empowered to acquire, and the city of Auburn is hereby authorized and empowered to transfer and convey to said sewerage district, the entire sewer system of said city of Auburn, including all pipe, conduits, fixtures and rights of way therefor, excepting the street catch basins and their connections with the sewer mains; the consideration for said transfer being that said sewerage district upon said transfer shall become obligated to pay the sewer loan of the city of Auburn, due January second, nineteen hundred twenty-one, of twenty-four thousand dollars, when said loan shall become due and payable.

The words "sewer system" as used in this section shall be construed to mean the sewer system owned by the city of Auburn, whether for the disposal of the sewage of buildings or for drainage, public or private, together with all its rights and appurtenances.

**Sec. 4. Bond issue authorized.** The Auburn Sewerage District is hereby authorized under the permission and direction of the public utilities commission, to issue bonds to provide for such improvements and extensions of the system as may be deemed necessary by said sewerage district.

## CHAP. 198

Said bonds shall be a legal obligation of said sewerage district, and on all property therein, which is hereby declared to be a quasi municipal corporation within the meaning of the statutes of this state. Bonds so issued shall not impair any liens outstanding, if any, covering said sewer system.

From the proceeds of the bonds issued as above the Auburn Sewerage District shall set aside an amount which with accumulations shall be sufficient to retire the sewer loan of the city of Auburn, due January second, nineteen hundred twenty-one, of twenty-four thousand dollars, and said fund shall be used for the payment of said loan and for no other purpose. Said fund shall be invested subject to the same conditions as hereinafter specified for the sinking fund.

**Sec. 5. Default of payment of bond, procedure.** In case of default in the payment of any of said bonds or the coupons attached thereto, when due, any holder thereof may petition the supreme judicial court for the county of Androscoggin by bill in equity, for the benefit of himself as well as for the benefit of all other holders of said bonds, and said court may enforce said lien, by appointment of receiver and by sale of said property, according to the usual practice in equity proceedings.

**Sec. 6. Sinking fund for redemption of bonds.** The Auburn Sewerage District shall create a sinking fund for the retirement of its bonded indebtedness by setting aside annually from its income a sum equal to at least one per cent of its total bonded indebtedness. Said sinking fund shall be invested in such securities as savings banks of this state are authorized to invest in, and shall be held, together with its accumulations, for the sole purpose of redeeming and paying the principal of said bonds.

**Sec. 7. Bonds may be purchased by savings banks.** Bonds issued under the provisions of this act may be purchased and held by savings banks in this state.

**Sec. 8. Special sewer tax authorized; how levied and how collected.** The Auburn Sewerage District is hereby authorized to levy a special sewer tax on the valuation of all property receiving service from its sewer system and upon property against which an assessment for sewer construction has been made. Said special tax shall be based upon the valuation given the property upon which such tax is authorized, by the board of assessors of the city of Auburn, and shall not exceed one and one-half mills on each dollar of valuation for any one year. The amount of such tax shall be sufficient to provide said sewerage district with the income necessary, over and above that provided by section nine, to meet its estimated expenditures of the ensuing year for operating expenses, interest on bonds or other loans, sinking fund, maintenance and such extensions as it shall not seem expedient to provide for by issuing bonds as herein provided; subject, however, to said maximum tax. Said special tax shall be levied annually in the month of April. The clerk of said district shall be the collector of said special tax and may enforce the same in the same manner as provided by law for the enforcement of a special tax levied by any municipal corporation.

**Sec. 9. City of Auburn may be assessed for use of system for highway drains.** The Auburn Sewerage District is hereby authorized to assess

**CHAP. 193**

the city of Auburn for the use of said sewer system as public drains for highways a sum not to exceed five thousand dollars annually, and the said city of Auburn shall pay said assessment for the use of said sewer system.

**Sec. 10. Assessment of abutters.** So much of the general laws of the state relating to the construction of drains and common sewers as authorize the assessment against lots benefited thereby of an amount not to exceed one-half of the cost of said drain or sewer shall not apply to assessments made under this act. In lieu thereof the owners of estates benefited and abutting on streets or way, public or private, in which sewers shall hereafter be laid under the provisions of this act shall pay to said sewerage district toward defraying the cost of such sewers, systems of sewerage and sewage disposal an assessment or charge as follows: Fifteen cents a linear foot of frontage of such estates on any street or way where a sewer is constructed, and five mills a square foot computed upon the area of such estates within a fixed depth of one hundred and fifty feet from such street or way; provided, however, that in no case shall an assessment be made that shall exceed the special benefit to the estate assessed; also, that no assessment shall be made upon any estate which, by reason of its grade or level, or for any other cause, cannot be drained into such sewer, until such incapacity is removed; and provided, also, that when such estates abut upon more than one such street or way, such linear assessment shall be made upon the whole of the largest frontage, and seventy-five feet of the frontage upon such other street or way shall be exempt from such assessment, but all length in excess of said seventy-five feet upon such other street or way shall be subject to said assessment. The remainder of the cost of said system or systems shall be borne by said sewerage district. No particular or other sewer from any estate or part of an estate not already assessed or liable to assessment or charge as provided above, shall be entered into a common sewer, except upon the payment of such an assessment or charge, and upon such other terms and conditions as the sewerage district shall fix and determine.

**Sec. 11. Collection of abutters' assessment.** Upon the completion of a sewer in any street or way, public or private, included within any system now constructed or hereafter to be constructed, and when the same is ready for use, the sewerage district may file a certificate with its clerk designating the street or way, or part thereof, in which the sewer has been completed, and setting forth the names of the owners of the estate abutting and benefiting and the amount of assessment or charge to be paid by each, and referring to the plan on file in the office of said district, which plan shall show frontage, the area assessed, the name of the owner and the amount of the assessment of each estate abutting and benefited on said street or way; and the clerk shall forthwith, upon the receipt of such certificate, make a demand in writing for the payment of said assessment or charges, and every such owner shall within three months after such demand is served on him, or on the occupant of his estate, or sent by mail to the last address of said owner known to the clerk, pay the sum so assessed or charged, to the clerk.

**Sec. 12. District authorized to construct and maintain system for disposition of sewage.** The Auburn Sewerage District is hereby authorized to construct, maintain and operate such systems of sewerage and sewage disposal and to lay, make and maintain such common sewers as the board may from time to time deem necessary for the purpose of disposing of its sewage. The district may also construct, maintain and operate such works as it may deem necessary in connection with said system; and for the purpose of providing better surface or other drainage for any parts of the city, guarding against pollution of waters, and otherwise protecting the public health, may lay, make and maintain such main drains as it deems best, may deepen, widen and clear of obstruction any brook, stream or water course within the limits of the city, and straighten, alter or divert the courses or channels thereof.

**Sec. 13. May acquire lands, etc., by right of eminent domain or purchase; may construct sewers along highways, etc.** The said district shall for the purposes of this act have power to take from time to time by right of eminent domain, or to acquire by purchase or otherwise, any lands, water rights, rights of way or other easements in said city, public or private, necessary for any of the purposes mentioned in section twelve; and may construct such sewers and drains under or over any water course, bridge, railroad, railway, highway or other way, in such manner as not unnecessarily to obstruct the same; and may enter upon and dig up any private land or way for the purpose of constructing said systems, laying such sewers and drains, and maintaining and repairing the same, and may do any other thing necessary or proper in carrying out the purposes of this act.

**Sec. 14. When locations filed fee vests in districts; form of record; adjustment of damages.** When lands, water rights, rights of way or other easements are taken, said Auburn Sewerage District shall, within thirty days after the taking, cause to be recorded in the registry of deeds for the county of Androscoggin, a description of the same as certain as is required in a conveyance of land, with a statement of the purpose for which the same were taken, signed by a majority of its trustees; and upon such recording the fee in the lands, rights of way or other easements so taken shall vest in the sewerage district. All damages sustained by any person or corporation by reason of such taking, or through any action of said sewerage district under this act, shall be paid by the district. If the damages are not agreed upon, a jury in the supreme judicial court of said county may be had to determine the same, in the same manner as in the case of lands taken for highways on appeal from the county commissioners, except such action shall originate in said court; but in the case of a taking no suit shall be brought after two years from the recording of such taking as herein required. All takings made in substantially the following form shall be valid: The Auburn Sewerage District, acting under the authority given by chapter \_\_\_\_\_ of the private and special laws of nineteen hundred seventeen, hereby takes for the purpose of (here state any of the purposes for which takings may be made) a certain parcel of land situated in said Auburn, bounded as follows (here give the description of the land) said premises being owned or supposed to be owned by\_\_\_\_\_

## CHAP. 194

\_\_\_\_\_ of \_\_\_\_\_ in the state of \_\_\_\_\_; also the following described rights of way or easements in said Auburn (here describe the rights or easements taken, and also describe sufficiently for their identification the premises over or through which said rights or easements are taken, and state ownership, or supposed ownership, of said premises.)

**Sec. 15. Costs in damage proceedings.** In every case of a petition for the assessment of damages or for a jury, said Auburn Sewerage District may at any time file an offer in writing, with the other papers in the case, to pay the petitioner a sum therein specified as damages; and if he does not accept the same within thirty days after notice of such offer, and does not finally recover a greater sum than that offered, not including interest from date of the offer on the sum so recovered, the district shall recover costs from said date, and if the petitioner does not recover damages in a greater sum than that allowed as aforesaid, he shall be entitled to costs only to the date of the offer.

**Sec. 16. Property of district tax exempt.** The property of said Auburn Sewerage District shall be exempt from taxation.

**Sec. 17. Referendum; ballot to be prepared by secretary of state.** This act shall take effect upon being approved by a majority of all legal voters of the city of Auburn, voting at the special state election in the month of September, nineteen hundred seventeen. A special ballot for the above purpose shall be prepared and submitted to the voters of the city of Auburn by the secretary of state, setting out the purpose and scope of this act.

**Sec. 18. Inconsistent statutes repealed.** All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved April 7, 1917.

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## Chapter 194.

An Act to Incorporate the Calais Water and Power Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators, name and purposes.** Samuel C. Manley of Augusta, Josiah S. Maxcy and Weston Lewis of Gardiner, in the county of Kennebec, their associates, successors and assigns, be and hereby are, made a corporation by the name of the Calais Water and Power Company for the purpose of supplying the city of Calais and any adjoining municipalities and the inhabitants thereof with water for domestic, sanitary, and municipal purposes including the extinguishment of fires; and such corporation shall possess all the powers and be subject to all the liabilities and obligations imposed upon similar corporations by law.

**Sec. 2. Capital stock.** The capital stock of said company shall be one hundred thousand dollars, which may be increased or diminished at any

## CHAP. 194

time at a duly notified meeting of the stockholders thereof by a majority vote, subject, however, to the approval of the public utilities commission.

**Sec. 3. May acquire mortgage and convey real and personal property; may issue bonds, etc.** Said corporation is hereby authorized to acquire by purchase or otherwise, mortgage, sell and convey such real estate and personal property as may be necessary or convenient for carrying out the purposes of the corporation, and may from time to time, upon the security of its property, issue such bonds, debentures or other evidences of indebtedness, and in such amounts, as may be authorized by law or approved by the public utilities commission.

**Sec. 4. May purchase rights and powers of Maine Water Company, Calais Water Company, Saint Croix Electric Light and Water Company and of other corporations; source of supply.** Said corporation is hereby authorized to acquire by purchase or otherwise and to hold the property, capital stock, rights, privileges, immunities and franchises of any corporation, individual, firm, association now or hereafter authorized by law to supply water for domestic, sanitary, and municipal purposes including the extinguishment of fires to any municipality or the inhabitants thereof, within Washington county or contiguous thereto, and is expressly and specifically authorized to acquire by purchase or otherwise and to hold the property, capital stock, rights, privileges, immunities and franchises of the Maine Water Company, including all rights, privileges and franchises, granted to it by chapter two hundred seven of the private and special laws of nineteen hundred and fifteen, the Calais Water Company and the Saint Croix Electric Light and Water Company, and said Maine Water Company, Calais Water Company and Saint Croix Electric Light and Water Company are hereby authorized to sell, convey and transfer to the Calais Water and Power Company all their property, rights, privileges, immunities and franchises aforesaid upon such terms as may be mutually agreed upon, subject, however, to the approval of the public utilities commission; and upon such purchase and transfer the Calais Water and Power Company shall have, hold, possess, and exercise all the locations, powers, privileges, rights, immunities, franchises, property and estates which at the time of any such purchase and transfer shall be held, possessed or enjoyed by the corporations so selling, or either of them, and shall be subject to all the duties, restrictions and liabilities to which they or any of them, shall then be subject by reason of any charter, contract, general or special law of this state, or otherwise. Whenever this corporation shall have acquired all the property, rights, privileges, immunities, and franchises of the Maine Water Company, the Calais Water Company and the Saint Croix Electric Light and Water Company it shall have the right to obtain water for the purpose of its incorporation by contract with any corporation, partnership, individual or association or municipality within the State of Maine or Dominion of Canada.

**Sec. 5. Right of eminent domain delegated provided purchase is made; particular powers as to sources of supply.** Whenever said corporation shall have acquired the property, rights, franchises, immunities and privileges of the Maine Water Company, the Calais Water Company, and the

**CHAP. 194**

Saint Croix Electric Light and Water Company upon such terms as may be approved by the public utilities commission, it shall have the power, by right of eminent domain as hereinafter provided, which right is hereby expressly delegated to said corporation, to take as for public uses and hold any land or interest therein or water rights necessary for dams, for flowage, for power for pumping its water supply through its mains, for preserving the purity of the water and water-shed, and for laying and maintaining aqueducts, hydrants, pipe lines, and other structures for taking, distributing, discharging and disposing of water, and particularly and expressly to take and hold, divert and use the waters of East Magurrewock lake, or West Magurrewock lake, or otherwise known as Howard lake, or both, in Washington county, or any of the tributaries or outlet waters thereof and the waters of any springs, lakes or ponds in the city of Calais, or vicinity, which may be necessary or convenient as principal or auxiliary sources of supply for the furnishing of water as aforesaid for the purposes of said corporation; and to erect dams, build piers or other structures necessary for the operation of the plant of said corporation and to raise the head of water in any of said lakes, ponds, their tributaries or outlets, necessary to form reservoirs to hold sufficient supply for the purposes of said corporation and to take and hold so much of the water-shed of said lakes or ponds and any of their tributaries or outlets in the city of Calais, and the towns of Robbinston, Baring and Charlotte and adjoining towns, as may be necessary to preserve the purity of said water supply, and to lay in and through any public streets and highways and across any private lands necessary or convenient to conduct said water for the purpose aforesaid, and to that end to take and hold any lands, easements or otherwise as may be necessary to conduct said waters as aforesaid, and the right of eminent domain is hereby expressly granted and delegated to said corporation.

**Sec. 6. Aqueducts, pipes, etc. may be laid along highways, etc., and across railroads; proviso.** Said corporation is hereby authorized to lay down and maintain, under, through and across the highways, ways, streets and railroads in said city or towns any and all necessary aqueducts, pipes and fixtures as may be necessary for the objects of its incorporation, and to enter upon and take up any road, street or way in said city or towns, for the purposes aforesaid, and to erect along said streets and ways any hydrants, drinking fountains or other distributing facilities that may be necessary, convenient or useful for the purposes of said corporation, and in a general way to do any other acts or things necessary, convenient or proper to be done for the complete establishment and maintenance of its works and plant; provided always, that the company shall at its own expense and to the satisfaction of the municipal officers of said city of Calais and other towns in which said works are established without unnecessary delay, repair the said highways, streets, and ways in every part where they shall be so entered upon and dug up, and restore the covering, pavement and sidewalks thereof respectively.

**Sec. 7. Adjustment of damages.** Said company shall be liable in all cases to repay to said city all sums of money that said city may be obliged to pay on any judgment recovered against said city for damages occasioned by any obstruction, or digging up, or displacement of any street by said



## CHAP. 195

corporation, together with counsel fees and other expenses necessarily incurred in defending said city in actions therefor; provided, however, that said company shall have notice in writing of the commencement of any and all suits for such damage, and said company shall have the right to defend any such action at its own expense.

**Sec. 8. Provisions of R. S., c. 51, § 33, applicable after purchase has been made.** Whenever this corporation shall have acquired by purchase or otherwise all the property, capital stock, rights, privileges, immunities and franchises and all other rights of the Maine Water Company, the Calais Water Company and the Saint Croix Electric Light and Water Company, said Maine Water Company and the Calais Water Company shall have the benefit of the provisions of section thirty-three of chapter fifty-one of the revised statutes.

**Sec. 9. Proceedings in exercise of right and eminent domain.** Whenever the corporation shall exercise any of the rights of eminent domain herein or otherwise granted, proceedings shall be had according to the provisions of chapter sixty-one of the revised statutes.

**Sec. 10. First meeting, how called.** The first meeting of said corporation may be called by a written notice thereof signed by any two incorporators heretofore named, served upon each incorporator by copy of same given in hand or mailed postage prepaid at least seven days before the day named therein for such meeting, but if all the incorporators herein named are present at such meeting and sign upon the record a waiver of notice thereof no such written notice shall be required.

Approved April 7, 1917.

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## Chapter 195.

An Act to Authorize the County of Aroostook to Enlarge and Repair the Court Houses at Houlton and Caribou in said County.

**Emergency preamble.** Whereas, the law requires all contracts for public building construction to be made after public notice and public bidding, which takes time, and,

Whereas, it is necessary to construct the buildings and safety vaults called for in this act, forthwith, and during the summer season of nineteen hundred seventeen, and,

Whereas, the public interest in the records of the county of Aroostook requires that the said records be immediately protected, and,

Whereas, by reason of the foregoing facts an emergency exists such as is contemplated by the constitution of this state, and the passage of this act is immediately necessary for the preservation of the public health, peace and safety, therefore.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Expenditure of \$75,000 authorized for repair of court houses and reconstruction of safety vaults.** The county of Aroostook is hereby

**CHAP. 195**

authorized and empowered to expend so much as shall be needed not to exceed in all the sum of seventy-five thousand dollars in altering, enlarging, repairing and equipping the court house at Houlton in said county and the court house at Caribou in said county, and in enlarging, remodeling and rebuilding at Houlton the vaults for the records of the clerk of courts, the register of probate and the register of deeds, so as to make them safe for the keeping of the records of said county offices.

**Sec. 2. Loan authorized.** For the purpose of raising the money necessary to carry out the provisions of this act, said county through its county commissioners is hereby authorized and empowered to make a loan or loans and to cause notes or obligations of said county with coupons for interest at a rate not to exceed six per cent. to be issued, payable at regular periods not exceeding twenty years from the date of issuance. Said commissioners shall determine the amount, time of payment, rate of interest (not exceeding six per cent.) and form of said notes or obligations and may issue the same from time to time as the money is needed to pay for the work done under this act.

**Sec. 3. Commission created, with full powers to make plans and supervise work.** Frederick A. Powers of Houlton, Delmont Emerson of Island Falls, H. D. Collins of Caribou, Herbert W. Trafton of Fort Fairfield and Patrick Theriault of Grand Isle, all in said county, are hereby constituted and appointed a commission to prepare plans and make contracts for the carrying out of the provisions of this act, and said commission is hereby vested with full power to determine the amount of money to be spent in altering, repairing and enlarging said court houses or either of them, and to determine the kind and extent of the repairs and extensions to be done on either of said court houses, if any, and shall have power to determine what amount of money shall be spent on the court house at Houlton and what amount shall be spent on the court house at Caribou, and shall have power to employ architects to assist in determining the necessary repairs, extensions, and improvements on said court houses or either of them. Said commissioners may organize and appoint necessary officers and may authorize any member or members of the commission to act for the commission in carrying out the provisions of this act. Said commission shall have the power to fill vacancies existing for any cause, and shall serve without pay, but all necessary expenses of said commission in carrying out the provisions of this act shall be paid out of the money raised under this act.

**Sec. 4. Emergency clause.** In view of the emergency cited in the preamble, this act, two-thirds of all the members elected to the legislature having so directed, shall take effect when approved.

Approved April 7, 1917.

## Chapter 196.

An Act Additional to Chapter Fifty-one of the Private and Special Laws of Nineteen Hundred and Seven, Relating to the Pollution of the Waters of North or Varnum's Pond.

*Be it enacted by the People of the State of Maine, as follows:*

**Bathing in North or Varnum's Pond prohibited.** If any person shall bathe in the waters of said North or Varnum's Pond so long as the waters of the same are used for the purpose of supplying the water for domestic use, in any town or village, he shall be fined not exceeding twenty dollars, or imprisoned not exceeding six months.

Approved April 7, 1917.

## Chapter 197.

An Act to Incorporate the St. Croix Water Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators and name.** Josiah S. Maxcy, Weston Lewis, and Samuel C. Manley, their associates, successors, and assigns, are hereby made a body corporate by the name of the St. Croix Water Company.

**Sec. 2. Purposes.** The purpose of said corporation shall be to distribute and supply water for domestic and municipal uses in the city of Calais, Maine, and also in the towns of Milltown and St. Stephen, New Brunswick, so far as authorized.

**Sec. 3. Transfer authorized of Maine Water Company, Calais Water Company and St. Croix Electric Light and Power Company.** Said corporation may take and hold by purchase such real and personal estate as is necessary for the purposes aforesaid, and is expressly authorized to purchase the plants, properties, rights, privileges, appurtenances, leases, and leasehold interests of the Maine Water Company, the Calais Water Company, and the St. Croix Electric Light and Water Company; and said Maine Water Company and Calais Water Company are hereby authorized to sell, assign, transfer, and convey their plants, properties, rights, privileges, appurtenances, leases, and leasehold interests to said St. Croix Water Company.

**Sec. 4. Authorized to lay pipes, etc. through streets of Calais and across St. Croix river.** Said company is hereby authorized to lay in and through the streets and highways of said city of Calais, and across the St. Croix river as far as the boundary of the state, and to take up, repair, and replace all such pipes, aqueducts, and fixtures as may be necessary for the purposes above mentioned; and whenever said company shall lay any pipes or aqueducts in any street or highway, it shall cause the same to be done with as little obstruction as possible to the public travel, and shall at its own expense, without unnecessary delay, cause the earth and pavement removed by it to be replaced in proper condition.

**CHAP. 198**

**Sec. 5. Authorized to furnish water to town of St. Stephen, N. B.; proviso.** Said corporation is authorized to procure a supply of water in the town of St. Stephen, and to contract therefor with said town of St. Stephen; and also to contract with said town, or the inhabitants thereof, for pumping water for said town; and to arrange all the terms and provisions in regard to such supply of water and pumping as may be agreed upon between said company and said town of St. Stephen, or the inhabitants thereof, subject to the approval of the Public Utilities Commission of Maine, and to similar approval by the Board of Commissioners of Public Utilities of New Brunswick, provided that all necessary legislative authority for the action contemplated by this act be granted by New Brunswick.

**Sec. 6. Capital stock; bond issue subject to approval.** The capital stock of said corporation shall not exceed two hundred fifty thousand dollars, divided into shares of one hundred dollars each, of such classes as the shareholders may determine; and it may issue bonds for such amounts as may be required and secure said bonds by mortgages upon the property and franchises of the company, subject to the approval of the Public Utilities Commission of Maine, and the Board of Commissioners of Public Utilities of New Brunswick.

**Sec. 7. Certain provisions void unless purchase herein provided is made.** Section four of this act shall be inoperative, null and void, unless and until said company shall acquire the property specified in section three.

**Sec. 8. Existing statutes continued in force.** Nothing herein contained is intended to repeal or shall be construed as repealing the whole or any part of any existing statute. And all the rights and duties herein mentioned shall be exercised and performed in accordance with all the applicable provisions of chapter fifty-five of the revised statutes.

Approved April 7, 1917.

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## Chapter 198.

An Act to Amend Section Eight of Chapter Three Hundred and Twenty-five of the Private and Special Laws of Eighteen Hundred Ninety-seven, as Amended by Chapter One Hundred and Fifty of the Private and Special Laws of Nineteen Hundred and Fifteen, Decreasing the Salary of the Recorder of the Municipal Court of Waterville, and Providing for Payment of the Same by County of Kennebec.

*Be it enacted by the People of the State of Maine, as follows:*

P. & S. L., 1897, c. 325, § 8, as amended by P. & S. L., 1915, c. 150, further amended. Section eight of chapter three hundred and twenty-five of the private and special laws of eighteen hundred and ninety-seven, as amended by chapter one hundred and fifty of the private and special laws of nineteen hundred and fifteen, is hereby amended by striking out the last sentence of said section and substituting in place thereof the following: "The recorder shall receive from the treasury of the county of Kennebec, in monthly payments, an annual salary of four hundred dollars, which shall

## CHAP. 199

be in full for all fees pertaining to his office but the salary of the present incumbent during the term for which he is now appointed shall in no way be affected by the foregoing provisions.

Upon complaint to any judge of a municipal or police court or to any trial justice in the county of Kennebec, charging a person with the commission of an offense committed in the city of Waterville, such judge or trial justice, if satisfied after examination that the accused committed the offense, shall issue his warrant returnable before the judge or recorder of the municipal court of the city of Waterville, anything in the act creating said municipal court of the city of Waterville or any amendment thereto to the contrary notwithstanding,' so that said section as amended shall read as follows:

**'Sec. 8. Salary of recorder decreased from \$500 to \$400; salary of present incumbent not affected. Warrants alleging commission of offense in Waterville may be issued by any municipal or police court judge or trial justice in Kennebec county returnable before Waterville court.** There shall be appointed by the governor, for said court, a recorder, who shall keep the records of said court when requested so to do by the judge; and in case of absence from the court room, or sickness of the judge, or when the office of judge shall be vacant, the recorder shall have and exercise all the powers of the judge, and perform all the duties required of said judge by this act, and shall be empowered to sign and issue all processes and papers, and to do all acts as fully and with the same effect as the judge could do were he acting in the premises; and the signature of the recorder, as such, shall be sufficient evidence of his right to act instead of the judge. The recorder shall receive from the treasurer of the county of Kennebec, in monthly payments, an annual salary of four hundred dollars, which shall be in full for all fees pertaining to his office, but the salary of the present incumbent during the term for which he is now appointed shall in no way be affected by the foregoing provision.

Upon complaint to any judge of a municipal or police court or to any trial justice in the county of Kennebec, charging a person with the commission of an offense committed in the city of Waterville, such judge or trial justice, if satisfied after examination that the accused committed the offense, shall issue his warrant returnable before the judge or recorder of the municipal court of the city of Waterville, anything in the act creating said municipal court of the city of Waterville or any amendment thereto to the contrary notwithstanding.'

Approved April 7, 1917.

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## Chapter 199.

An Act for the Assessment of a State Tax for the Year One Thousand Nine Hundred and Eighteen.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. State tax for 1918.** A tax is hereby assessed for the year one thousand nine hundred and eighteen and upon each city, town, plantation, township and each lot or parcel of land not included in any township in this state.

**CHAP. 199**

**Sec. 2. Rate and basis of computation.** The rate of such tax is hereby fixed at six mills upon the dollar, which shall include the one mill to be used for the mill tax highway fund, and one cent for each taxable poll. The valuation as determined by the board of state assessors, as set forth in the statement filed by said board as provided by the revised statutes, chapter nine, section eleven, shall be the basis for the computation and apportionment of the tax hereby assessed.

**Sec. 3. Lists to be filed with state treasurer on or before April 1st, 1918.** On or before April first nineteen hundred and eighteen, the state assessors shall file with the state treasurer lists of the taxes provided by the preceding section.

**Sec. 4. Treasurer's warrant.** The treasurer of this state shall, in the month of April, in the year of our lord one thousand nine hundred and eighteen, send his warrant with a copy of the lists named in the preceding section directed to the mayor and aldermen, selectmen or assessors of each city, town or plantation taxed as aforesaid, requiring them respectively to assess, in dollars and cents, the sum so charged, according to the provisions of the law for the assessment of taxes and add the amount of such tax to the amount of county and town taxes, to be by them assessed in each city, town and plantation or other place respectively.

**Sec. 5. Tax to be remitted by municipal treasurers on or before Dec. 1st, 1918.** The treasurer of state in his said warrants, shall require the said mayor, and aldermen, selectmen, or assessors respectively to pay or to issue their several warrants requiring the collectors of their several cities, towns and plantations to collect and pay into the treasury of their respective cities, towns and plantations the sums against said cities, towns and plantations, required by this act which said respective treasurer shall pay to the state treasurer on or before the first day of December one thousand nine hundred and eighteen, and said mayor and aldermen, selectmen and assessors, respectively, shall return a certificate of the names of such collectors, with the sums which each collector may be required to collect; to said state treasurer, sometime before the first day of December in the year of our Lord one thousand nine hundred and eighteen.

**Sec. 6. Delinquent municipalities; procedure as to collection.** When the time for the payment of a state tax to the treasurer of state has expired, and it is unpaid, the treasurer of state shall give notice thereof to the municipal officers of any delinquent city, town or plantation, and unless such tax shall be paid within sixty days the treasurer of state may issue his warrants to the sheriff of the county requiring him to levy, by distress and sale, upon the real and personal property of any of the inhabitants of the town, and the sheriff or his deputies, shall execute such warrants observing the regulations provided for satisfying warrants against deficient collectors, as prescribed by chapter eleven of the revised statutes.

**Sec. 7. School funds to be withheld from delinquent municipalities.** When any state tax assessed upon any city, town or plantation remains unpaid, such city, town or plantation is precluded from drawing from the state

treasury the school funds set apart for such city, town or plantation, so long as such tax remains unpaid.

Approved April 7, 1917.

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## Chapter 200.

An Act for the Assessment of a State Tax for the Year One Thousand Nine Hundred and Seventeen.

**Emergency preamble.** Whereas, all taxes upon real and personal property in this State are assessed as of April first and in the greater portion of the municipalities the assessments are completed during the months of April and May of each year, and

Whereas, it is necessary that the warrants for state taxes shall be transmitted by the treasurer of state to the assessors of the several cities, towns and plantations as soon after April first as practicable in order that the taxes may be promptly assessed so that the cities, towns and plantations may receive sufficient revenue for current expenses, and,

Whereas, in the opinion of the legislature, these facts render the immediate passage of this act necessary for the preservation of the public peace, health and safety and constitute an emergency within the meaning of the Constitution, now therefore,

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. State tax for 1917.** A tax is hereby assessed for the year one thousand nine hundred and seventeen upon each city, town, plantation, township and each lot or parcel of land not included in any township in this state.

**Sec. 2. Rate and basis of computation.** The rate of such tax is hereby fixed at six mills upon the dollar, and one cent for each taxable poll. The valuation as determined by the board of the state assessors, as set forth in the statement filed by said board as provided by the revised statutes, chapter nine, section eleven, shall be the basis for the computation and apportionment of the tax hereby assessed.

**Sec. 3. Lists to be filed with state treasurer on or before April 1st, 1917.** On or before April first nineteen hundred and seventeen, the state assessors shall file with the state treasurer lists of the taxes provided by the preceding sections.

**Sec. 4. Treasurer's warrant.** The treasurer of this state shall, in the month of April, in the year of our Lord one thousand nine and seventeen, send his warrant with a copy of the lists named in the preceding section directed to the mayor and aldermen, selectmen or assessors of each city, town or plantation taxed as aforesaid, requiring them respectively to assess, in dollars and cents, the sum so charged, according to the provisions of the law for the assessment of taxes and add the amount of such tax to the amount of county and town taxes, to be by them assessed in each city, town and plantation or other place respectively.

**CHAP. 201**

**Sec. 5. Tax to be remitted by municipal treasurers on or before Dec. 1st, 1917.** The treasurer of state in his said warrants, shall require the said mayor, and aldermen, selectmen, or assessors respectively to pay or to issue their several warrants requiring the collectors of their several cities, towns and plantations to collect and pay into the treasury of their respective cities, towns and plantations the sums against said cities, towns and plantations, required by this act which said respective treasurer shall pay to the state treasurer on or before the first day of December one thousand nine hundred and seventeen, and said mayor and aldermen, selectmen and assessors, respectively, shall return a certificate of the names of such collectors, with the sums which each collector may be required to collect, to said state treasurer, sometime before the first day of December in the year of our Lord one thousand nine hundred and seventeen.

**Sec. 6. Delinquent municipalities, procedure as to collection.** When the time for the payment of a state tax to the treasurer of state has expired, and it is unpaid, the treasurer of state shall give notice thereof to the municipal officers of any delinquent city, town or plantation, and unless such tax shall be paid within sixty days the treasurer of state may issue his warrants to the sheriff of the county requiring him to levy, by distress and sale, upon the real and personal property of any of the inhabitants of the town, and the sheriff or his deputies, shall execute such warrants observing the regulations provided for satisfying warrants against deficient collectors, as prescribed by chapter eleven of the revised statutes.

**Sec. 7. School funds withheld from delinquent municipalities.** When any state tax assessed upon any city, town or plantation remains unpaid, such city, town or plantation is precluded from drawing from the state treasury the school funds set apart for such city, town or plantation, so long as such tax remains unpaid.

**Sec. 8. Emergency clause.** In view of the emergency cited in the preamble this act shall take effect when approved.

Approved April 7, 1917.

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## **Chapter 201.**

**An Act to Grant a New Charter to the City of Auburn.**

*Be it enacted by the People of the State of Maine, as follows:*

### **ARTICLE I.**

#### **Grant of Powers to the City.**

**Sec. 1. Corporate existence retained.** The inhabitants of the city of Auburn shall continue to be a municipal corporation under the name of the city of Auburn and as such shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties, liabilities and obligations provided for herein, or otherwise pertaining to or



incumbent upon said city as a municipal corporation; and may enact ordinances, by-laws, and regulations not inconsistent with the constitution and laws of the State of Maine.

## ARTICLE II.

### City Council.

**Sec. 1. Powers and duties.** All the powers granted to the city by this charter and by the laws of this State, except as otherwise provided by this charter, are hereby vested in the city council, which shall exercise its powers in the manner hereinafter provided; except that the general management, care and conduct of the schools shall be vested in a school committee. The members of the city council shall be the municipal officers of the city of Auburn for all purposes required by statute or ordinance. The city council is hereby constituted overseers of the poor of the city of Auburn. As such they may authorize a clerk or agent to sign and send the written notices and the written answers referred to in sections thirty-five and thirty-six of chapter twenty-nine of the revised statutes; and such written notices and written answers shall have the same effect as if signed and sent by the members of the city council themselves.

**Sec. 2. Composition, election, tenure of office, etc.** The council shall be composed of the mayor and five other members. The members other than the mayor shall be elected one from each ward by and from the qualified voters thereof. The mayor shall be ex-officio president of the council. The members of the council shall hold office for a term of two years or until their successors are elected and qualified. Members of the council other than the mayor shall serve without compensation.

**Sec. 3. Vacancies; forfeiture of office.** In case of the death, resignation, or removal from office of any member of the council, more than six months prior to the next regular city election, the vacancy shall be filled by a special election which shall be held in the ward from which the vacancy occurs, the warrants for which shall be issued by the mayor. Any member of the council who shall have been convicted of a crime while in office shall thereby forfeit his office.

**Sec. 4. Regular meetings and qualification.** The council shall meet at the usual place for holding meetings, at ten o'clock a. m. on the first Monday in January following the regular city election, at which time the mayor-elect and the councilmen-elect shall be sworn to the faithful discharge of their duties by a justice of the peace or by the city clerk. Thereafter the council shall meet at such time and place as may be prescribed by ordinance or resolution, except that it shall meet regularly twice each month.

**Sec. 5. Special meetings.** Special meetings may be called by the mayor, or by a majority of all the members of the council. Notice of such meetings shall be served in person upon, or left at the usual dwelling place of, each member of the council and the city manager.

## CHAP. 201

**Sec. 6. Quorum.** A majority of the members of the council shall constitute a quorum for the transaction of business, but a smaller number may adjourn from time to time or compel attendance of absent members.

**Sec. 7. Procedure.** The council shall keep a record of its proceedings and shall be the judge of the qualification and election of its own members. The council may determine its own rules of procedure and punish members for misconduct. The meetings of the council shall be open to the public. The council shall act only by ordinance, order or resolve; and all ordinances, orders, and resolves, except resolves making appropriations, shall be confined to one subject which shall be clearly expressed in the title. The appropriation resolves shall be confined to the subject of appropriations. No ordinance and no appropriation resolve shall be passed until it has been read on two separate days, except when the requirement of a reading on two separate days has been dispensed with by a four-fifths vote of the voting members of the council. The yeas and nays shall be taken upon the passage of all ordinances and entered on the record of the proceedings of the council by the clerk. The yeas and nays shall be taken on the passage of any order or resolve when called for by any member of the council. Every ordinance shall require on final passage the affirmative vote of a majority of the voting members of the council. Every ordinance shall be published in full within ten days after its final passage, and shall take effect and be in force after its approval by some justice of the supreme judicial court.

## ARTICLE III.

## The Mayor.

**Sec. 1. Eligibility, election and tenure of office.** A mayor shall be elected by and from the qualified voters of the city. He shall hold office for a term of two years or until his successor is elected and qualified, except that when elected to fill a vacancy he shall hold office only for the unexpired term or until his successor is elected and qualified.

**Sec. 2. Vacancy.** In case of the death, resignation, or removal from office of the mayor more than six months prior to the next regular election, the vacancy for the unexpired term shall be filled by a special election, the warrants for which shall be issued by the council. Whenever the office of mayor becomes vacant within six months prior to a regular city election, whenever the office of mayor is vacant pending an election, or whenever the mayor, for any reason, is unable to attend to the duties of his office the council shall appoint one of its members to perform the duties of mayor.

**Sec. 3. Powers and duties.** The mayor shall preside at all meetings of the council and shall perform such other duties, consistent with his office, as the council may impose. He shall have no veto and no vote except in case of a tie. He shall be recognized as the official head of the city for ceremonial purposes, and for all purposes of military law. The title of mayor shall not be considered as conferring upon him any functions of a mayor under the general laws of the state inconsistent with the provisions of this charter.

**ARTICLE IV.****Superintending School Committee.**

**Sec. 1. Composition, eligibility, election, tenure of office, special provision.** The superintending school committee shall consist of the mayor, ex-officio, and ten other members elected two from each ward by and from the inhabitants thereof. No person shall be ineligible to membership on the superintending school committee on account of sex. They shall hold office for a term of four years or until their successors are elected and qualified.

The five members of the superintending school committee, elected in March nineteen hundred and seventeen for a term of two years, shall continue in office under this charter until the first Monday in January nineteen hundred and nineteen, or until their successors are elected and qualified.

**Sec. 2. Organization, qualification, quorum.** The superintending school committee shall meet for organization on the first Monday in January following the regular city election. The members-elect shall be sworn by a justice of the peace to the faithful discharge of their duties. A majority of the whole number to be elected shall be a quorum.

**Sec. 3. Powers and duties.** The superintending school committee shall have all the powers, and shall perform all the duties in regard to the care and management of the public schools of this city which are now conferred and imposed upon the superintending school committee by the laws of this state, except as otherwise provided in this charter.

**Sec. 4. Vacancies.** Whenever from any cause a vacancy in the superintending school committee shall occur, the city council by a majority vote of all the members shall appoint for the unexpired term, a resident of the ward where the vacancy exists.

**ARTICLE V.****Nominations and Elections.**

**Sec. 1. Date of elections and procedure as to determining result.** On the second Wednesday in December in the year nineteen hundred and seventeen and biennially thereafter the qualified voters of each ward shall ballot for a mayor, a councilman, a member of the superintending school committee, a warden and a ward clerk; all the votes cast for the several officers shall be sorted, counted, declared and registered in open ward meeting, by causing the names of the persons voted for and the number of votes given for each to be written on the ward record at length. The ward clerk shall forthwith deliver to the persons elected warden and ward clerk certification of their election, and shall forthwith deliver to the city clerk a certified copy of the record of such election.

In the year nineteen hundred and seventeen, the board of aldermen, and thereafter the city council, shall, as soon as conveniently may be, examine the copies of the records of the several wards certified as aforesaid and

**CHAP. 201**

shall cause the persons who shall have been elected mayor, councilmen, and members of the superintending school committee to be notified in writing of their election; but if it shall appear that no person shall have been elected to any office, or if the person elected shall refuse to accept the office, warrants for another election shall be issued forthwith. At any election the person receiving the highest number of votes for an office shall be deemed and declared elected to such office.

**Sec. 2. Warden and ward clerk; eligibility, tenure, qualification, powers and duties, vacancies; ward meetings; how called.** The warden and the ward clerk chosen as provided in the preceding section shall be residents of the wards for which they are elected, and shall hold their offices for two years from the first Monday in January following the regular city election, or until others have been chosen and qualified in their stead; the warden and the ward clerk shall be sworn to the faithful performance of their duties by the person presiding in the ward meeting, or by the clerk thereof, and a certificate of such oath shall be entered by the clerk on the records of said ward. The warden shall preside at all ward meetings with the powers of moderators of town meetings, and if at any meeting the warden shall not be present, the clerk of the ward shall call the meeting to order and preside until a warden pro tempore shall be chosen. If neither the warden nor the clerk shall be present, any legal voter in the ward shall preside until a clerk pro tempore shall be chosen and qualified. The clerk shall record all the proceedings and certify the votes given, and deliver over to his successor in office all such records and journals together with all documents and papers held by him in the capacity of clerk. All ward meetings shall be notified and called by the city council in the manner provided in the laws of this state for notifying and calling town meetings by the selectmen of the several towns.

**Sec. 3. Nominations for elective offices to be made by petition.** The nomination of all candidates for elective offices provided for by this charter shall be by petitions. The petition of candidates for mayor shall be signed by not less than one hundred qualified voters of the city. The petitions of candidates for councilman, for the superintending school committee, for warden and for ward clerk shall be signed by at least twenty-five qualified voters of the ward wherein the candidates are to be elected. No voter shall sign petitions for more than one candidate for each office to be filled at the election, and should he do so his signature shall be void as to the petition or petitions last filed.

**Sec. 4. Form of nomination paper.** The signatures to the nomination petition need not all be appended to one paper, but to each separate paper there shall be attached an affidavit of the circulator thereof, stating the number of signers of such paper and that each signature appended thereto was made in his presence and is the genuine signature of the person whose name it purports to be. With each signature shall be stated the place of residence of the signer, giving the street and number or other description sufficient to identify the same. The form of the nomination petition shall be substantially as follows:

## CHAP. 201

We, the undersigned electors of the city of Auburn, hereby nominate  
 ....., whose residence is....., for the office of  
 ....., to be voted for at the election to be held in the city  
 of Auburn on the .....day of.....19 ; and we individually cer-  
 tify that we are qualified to vote for a candidate for the above office and  
 that we have not signed more nomination petitions of candidates for this  
 office than there are persons to be elected thereto.

Name.....Street and Number.....

(Space for signatures.)

.....being duly sworn, deposes and says that he is the  
 circulator of the foregoing petition paper containing..... signatures,  
 and that the signatures appended thereto were made in his presence and  
 are the signatures of the persons whose names they purport to be.

(Signed).....

Subscribed and sworn to before me this.....day of.....19  
 .....Justice of the Peace (or Notary Public.)

This petition, if found insufficient by the election authorities, shall be  
 returned to .....at No..... Street.....

**Sec. 5. Filing of nomination paper; must be accompanied by acceptance.** The nomination papers comprising a petition shall be assembled and filed with the city clerk, as one instrument, not earlier than twenty-eight nor later than fourteen days, exclusive of Sundays, before the day of the election. No nomination shall be valid unless the candidate shall file with the city clerk in writing his acceptance of the nomination, not later than fourteen days before the day of the election.

**Sec. 6. List of candidates to be published.** The city clerk shall certify the list of candidates, and shall cause to be published in one or more newspapers, circulating in the city, the names and residence of the candidates who have duly filed the above mentioned petitions.

**Sec. 7. Ballots, etc. to be furnished by city clerk.** Specimen ballots and official ballots for use in all city elections shall be provided by the city clerk.

**Sec. 8. Form of ballot; candidates' names to be arranged by lot.** The names of the candidates nominated as provided in the preceding section shall be arranged according to lot under the title of the office to be filled. Lot shall be drawn by the city clerk, at which drawing the candidates or their representatives shall be entitled to be present. The ballots shall be without party mark or designation. The full name and residence of each candidate shall be given. At the left of each name shall be a square within which the voter shall place a cross to designate his choice. Blank spaces shall be left at the end of the list of the candidates for each office, in which the voter may insert the name of any person not printed on the ballot, for whom he desires to vote.

The ballot shall be printed substantially as follows:

CITY OF AUBURN  
Ward (     )  
REGULAR (OR SPECIAL) CITY ELECTION  
(Date)  
OFFICIAL BALLOT  
INSTRUCTIONS TO VOTERS

To vote for any candidate mark a cross (X) in the square at the left of the name.  
If you wrongly mark, tear or deface the ballot return it and obtain another.

For MAYOR		
	John Doe . . . . .	(Res.)
	Richard Roe . . . . .	(Res.)
	. . . . .	(Res.)
For COUNCIL		
	John Smith . . . . .	(Res.)
	William White . . . . .	(Res.)
	. . . . .	(Res.)
For SUPERINTENDING SCHOOL COMMITTEE		
	Charles Brown . . . . .	(Res.)
	Joe Jones . . . . .	(Res.)
	. . . . .	(Res.)
For WARDEN		
	William Doe . . . . .	(Res.)
	Charles Roe . . . . .	(Res.)
	. . . . .	(Res.)
For WARD CLERK		
	John Jones . . . . .	(Res.)
	Charles White . . . . .	(Res.)
	. . . . .	(Res.)
Mark a cross (X) in the square at the left of your answer.		
Yes	Shall . . . . .	
No	. . . . .	?
Yes	Shall . . . . .	
No	. . . . .	?

## CHAP. 201

**Sec. 9. Specimen ballots to be published and posted.** The city clerk shall cause specimen ballots to be posted in public places and advertised in the newspapers not later than ten days prior to the city election. Such specimen ballots shall be printed on colored paper and marked specimen ballot, and shall contain the names of the certified candidates with the residence of each, instructions to voters, and such measures as may be submitted to the voters. Such ballots shall be without party mark or designation.

**Sec. 10. State laws not inconsistent applicable.** The provisions of the laws of the State of Maine relating to the qualification of electors, registration, the manner of voting, the duties of election officers, and all other particulars in respect to the management of elections, so far as they may be applicable, shall govern all municipal elections except as otherwise provided in this charter.

## ARTICLE VI.

## Administrative Officers.

**Sec. 1. Enumeration.** There shall be the following administrative officers and boards.

(a) The following officers and boards shall be appointed by ballot by a majority vote of the voting members of the council: city manager, clerk, city solicitor, treasurer and tax collector, auditor, Auburn Water Commissioners, assessors of taxes, planning board, and board of health.

(b) The following officers and boards shall be appointed by the city manager, subject to confirmation by the city council: city engineer, superintendent of streets, wire inspector, plumbing inspector, inspector of buildings, city physician, city marshal, chief of the fire department, all other department heads whose position may be from time to time created by ordinance, and, upon recommendation of heads of departments, all minor officers and employees.

**Sec. 2. Scope of ordinance or resolve.** The council shall have power by ordinance or resolve:

(a) To create any new appointive office.

(b) To assign or authorize the city manager to assign the duties of two or more offices to one officer.

(c) To divide the duties of any office between two or more offices.

(d) To authorize the appointment of assistants or deputies in any office.

**Sec. 3. Civil service; exception.** The city council shall provide by ordinance for a system of civil service rules for the appointment, promotion, lay-off, reinstatement, suspension, and removal of the members of the police department and the fire department except that the chief of the fire department and the city marshal shall be appointed or removed as hereinbefore provided.

**Sec. 4. Appointive officers; tenure, removal.** All appointive officers and boards, whose terms are not specified in this charter, shall hold office

**CHAP. 201**

at the pleasure of the appointing power, except that the city manager, in case the city council proceeds to remove him, after six months of service, may demand and be entitled to written charges and a public hearing before the council, upon the question, prior to the date of his removal, but pending such hearing the council may suspend him from office. Appointive officers and boards, whose terms are specified in this charter, may be removed by the council upon written charges and after a public hearing on the same.

**Sec. 5. Salaries.** The council shall fix by order the salary of the mayor and the salaries of the appointees of the council. Salaries of the appointees of the city manager shall be fixed by the city manager subject to the approval of the council.

**Sec. 6. City manager; eligibility.** The city manager shall be chosen by the council solely on the basis of his executive and administrative qualifications, and need not be a resident of the city of Auburn or the State of Maine at the time of his appointment.

**Sec. 7. Powers and duties of city manager.** The city manager shall be the administrative head of the city government, and shall be responsible to the council for the administration of all departments. The powers and duties of the city manager shall be as follows:

- (a) To see that the laws and ordinances are enforced.
- (b) To exercise control over all departments and divisions created herein, or that may hereafter be created.
- (c) To make appointments and removals as provided in this charter.
- (d) To attend meetings of the council, except when his removal is being considered, and recommend for adoption such measures as he may deem expedient.
- (e) To keep the council fully advised as to the business, financial condition, and future needs of the city.
- (f) To perform such other duties as may be prescribed by this charter or required by ordinance of the council.

**Sec. 8. Vacancy in office of city manager.** During the vacancy in the city manager's office, and during the absence or disability of the manager, the council may designate a properly qualified person to perform the duties of manager and fix his compensation.

**Sec. 9. Duties of administrative officers prescribed by council.** Duties of administrative officers other than the manager may be prescribed by the council. Such duties shall not be inconsistent with the provisions of this charter.

**Sec. 10. Assessors of taxes; appointment, tenure of office, vacancies, powers and duties.** At its first meeting in January, nineteen hundred and eighteen, or as soon thereafter as may be, the city council shall appoint three assessors of taxes, one for a term of one year, one for a term of two years, and one for a term of three years; and annually thereafter there shall be appointed by the city council one assessor for a term of three years. The assessors shall hold office until their successors are appointed and qualified. If for any reason, a vacancy occurs in the membership of



## CHAP. 201

the board of assessors, the vacancy shall be filled forthwith by the council, for the unexpired term. The assessors thus appointed shall exercise the same powers and be subject to the same duties and liabilities that similar officers of the several towns and cities in the state may exercise, and are subject to, under the laws of the state.

**Sec. 11. City planning board.** The city planning board shall consist of three members, each to serve three years, except that at the first appointment under this charter one shall be appointed for one year, one for two years, and one for three years, and thereafter one shall be appointed each year.

**Sec. 12. Powers and duties of planning board; city engineer to be chief engineer of board; board of health to submit recommendations.** It shall be the duty of the city planning board to keep itself informed of the progress of city planning in this and other countries, to make studies and recommendations for the improvement of the plan of the city with a view to the present and future movement of traffic, the convenience, health, recreation, general welfare, and other needs of the city dependent on the city plan; to consider and report upon the designs and their relations to the city plan, of all new public ways, lands, buildings, bridges, and all other public places and structures, of additions to and alterations in those already existing, and of the layout or plotting of new sub-divisions of the city. All acts of the council or of any other branch of the city government affecting the city plan shall be submitted to the board for report and recommendations. The council may at any time call upon the board to report with recommendations, and the board of its own volition may also report to the council with recommendations on any matter which, in the opinion of either body, affects the plan of the city.

Any matter referred by the council to the board shall be acted upon by the board within thirty days of the date of reference, unless a longer or shorter period is specified by the council.

The board shall submit to the council an annual report summarizing the activities of the board for the fiscal year, the recommendations made by it to the council during the year and the action of the council during the year on any and all recommendations made by the board in that year.

The city engineer shall serve as chief engineer of the city planning board. The board of health of the city shall advise the planning board from time to time of any municipal improvements within the scope of the planning board which, in the opinion of the board of health, would improve the healthfulness of the city.

**Sec. 13. Planning board to act as park commissioners.** The planning board shall be a board of park commissioners and as such shall have the powers and duties of park commissioners provided for by section eighty-four of chapter four of the revised statutes.

**Sec. 14. Board of health; composition, appointment and tenure of office; vacancies.** At its first meeting in nineteen hundred and eighteen, or as soon thereafter as may be, the city council shall appoint a board of health of three members, one for a term of one year, one for a term of two years,

**CHAP. 201**

and one for a term of three years, and annually thereafter there shall be appointed by the city council one member of the board of health for a term of three years.

The members of the board of health shall hold office until their successors are appointed and qualified. If for any reason a vacancy occurs in the membership of the board of health, the vacancy shall be filled forthwith by the council for the unexpired term.

**ARTICLE VII.****Business and Financial Provisions.**

**Sec. 1. Accounts to be audited; report to be submitted.** Accounts shall be kept by the auditor showing the financial transactions of all departments of the city. Forms for all such accounts shall be prescribed by the auditor with the approval of the city manager. Accounts shall be kept in such a manner as to show fully at all times the financial condition of the city. The auditor shall furnish to the manager, prior to the first regular meeting of the council in each month, a report containing in detail the receipts and disbursements of the city on all accounts, the expenditures made and the obligations incurred during the preceding calendar month, and a balance sheet showing the financial condition of the city, of the several funds, and the total unexpended balance to the credit of each department.

**Sec. 2. Auditor to be qualified accountant.** All the accounts of the city shall be audited annually by a qualified accountant to be chosen by the council.

**Sec. 3. Auditor to publish monthly statement. Reports of other administrative officers.** The auditor shall publish each month a statement of the financial condition of the city.

Each of the administrative officers and boards shall annually, on such a date as may be fixed by the council, render to the manager a full report of the transactions of his department for the year. On the basis of these reports, the manager shall prepare and publish an annual report. In addition to a summary of the services rendered by the various departments the report shall show:

1. Receipts classified according to sources.
2. Expenditures classified according to objects. The classification of receipts and expenditures in the report shall conform in general to the classification in the auditor's books.
3. Balance sheets.
4. Such other financial information as may be required by the council.

**Sec. 4. Budget estimates to be submitted by city manager.** Not later than one month before the end of the fiscal year the city manager shall submit to the council budget estimates for the ensuing fiscal year. This budget shall be compiled from detailed information furnished by the administrative officers and boards on blanks, the forms of which shall be designated by the city manager; and shall contain:

- (a) Exact statement of the financial condition of the city.

## CHAP. 201

(b) Itemized statement of appropriations recommended for current expenses, and for permanent improvements, with comparative statements in parallel columns of expenditures for the current and next preceding fiscal year. An increase or decrease in any item shall be indicated.

(c) Itemized statement of estimated revenue from all sources other than taxation; and a statement of taxes required, with comparative figures from the current and the next preceding year.

(d) Such other information as may be required by the council.

The budget shall be published not later than two weeks after its submission to the council. The council shall fix a time and place for holding a public hearing upon the budget, and shall give the public notice of such hearing, which shall be at least ten days before the final passage of the appropriation resolve.

**Sec. 5. Annual appropriation resolve.** Not later than one month after the beginning of the fiscal year the council shall pass an annual appropriation resolve, which shall be based on the budget submitted by the city manager.

The total amount appropriated shall not exceed the estimated revenue of the city.

Before the annual appropriation resolve has been passed the council may make appropriations for current departmental expenses, chargeable to the appropriations of the year when passed, to an amount sufficient to cover the necessary expenses of the various departments until the annual appropriation resolve is in force.

**Sec. 6. Reserve fund.** The council in the appropriation resolve shall provide for a reserve fund from which transfers may be made only by vote of the council, and no transfer of any money shall be made from any fund other than this reserve fund until the end of the fiscal year, at which time, after all warrants have been paid out of the various funds, the auditor shall transfer to this reserve fund any remaining balance or balances in these various funds, except balances in the school fund; the council may then authorize a transfer from the reserve fund to any other fund in which there is an overdraft created by any actual emergency.

**Sec. 7. Borrowing power limited; suitable provisions to be made for support of poor.** The borrowing of money by and for the city shall be limited as to form and purpose according to provisions eight and nine of article seven of this charter. The credit of the city shall not in any manner be loaned to, or in aid of, any individual, association, or corporation except that suitable provisions may be made for the aid and support of the poor of the city.

**Sec. 8. Bond issue not to be made without public notice; purposes.** Money may be borrowed by the issue and sale of bonds and notes, pledged on the credit of the city, for the acquisition of land, the construction and equipment of buildings, and other permanent public improvements, and the payment or refunding of bonds, notes and certificates of indebtedness previously issued. No order providing for the issue of bonds shall be passed without public notice by posting a notice of the same in two public places.

**CHAP. 201**

in the city of Auburn and advertising same in two daily newspapers published in Androscoggin county at least two weeks before final action by the council, and the approval of four-fifths of all the members of the council. Every issue of bonds shall be payable within a term of years, not to exceed the period of the useful life of the improvement for which they are issued, and in no case to exceed thirty years. Bonds issued after the adoption of this charter shall be payable in equal annual serial instalments, including principal and interest. Every order for the issue of bonds shall provide for a tax levy for each year to meet the annual serial instalment of principal and interest, and such amounts shall be included in the tax levy for each year until the debt is extinguished.

**Sec. 9. Temporary loans.** Money may be borrowed in anticipation of receipts from taxes during any fiscal year, but the aggregate amount of such loan at any time shall not exceed eighty per cent of the revenue from taxes received during the preceding fiscal year. All such loans shall be paid out of the receipts from taxes for the fiscal year in which they are issued. Money may also be borrowed in anticipation of revenue from bond issue in case such bond issue has been authorized.

**Sec. 10. Sinking fund to be established; how invested.** Until the bonded indebtedness of the city of Auburn, in force at the time of the adoption of this charter, is paid, the city council shall raise and set apart each year for a sinking fund, a sum equivalent to two per cent of the total appropriation for that year. The sinking fund shall be applied only to the payment of that bonded indebtedness of the city, the payment of which has not been provided for by serial instalments. •

The sinking fund shall be invested in the bonds of the city or in such other bonds as savings banks in this state may from time to time be authorized to hold for investment, or may be deposited in such savings banks.

**Sec. 11. Money to be paid out only on warrants; provisions.** Money shall be paid out only on warrants on the city treasury issued by the auditor and countersigned by the city manager.

The auditor shall examine all pay rolls, bills and other claims and demands against the city and shall issue no warrant for payment unless he finds that the claim is in proper form, correctly computed and duly certified, and legally payable.

The auditor may require any claimant to make oath to the validity of a claim, may investigate any claim, and for such purpose or purposes may examine witnesses under oath.

**Sec. 12. Bonds to be required of certain officers.** The city council shall require bonds, with sufficient sureties, from all persons trusted with the collection, custody, or disbursement of the public moneys.

**Sec. 13. All receipts to be paid into city treasury.** All moneys received by any officer, employee, or agent of the city for, or in connection with, the business of the city shall forthwith be paid into the city treasury, and shall be deposited with such responsible banking institutions as the council may determine. All interest from such deposits shall accrue to the benefit of the city.

## CHAP. 201

**Sec. 14. Purchasing agent; powers and duties; city manager to act temporarily.** The purchasing agent shall purchase all supplies for the city and for the several officers and boards thereof, except supplies for the schools which he shall purchase only upon requisition by the superintending school committee.

The purchasing agent shall see to the delivery of supplies to each department and take and file receipts therefor. He shall conduct all sales of property unfit or unnecessary for the city's use, after such sales have been authorized by the council.

The city manager shall act as purchasing agent until the council by ordinance shall provide for the appointment of a purchasing agent.

**ARTICLE VIII.****Public Utilities.**

**Sec. 1. Public utility franchises, how granted.** All public utility franchises, and all renewals, amendments, and extensions thereof shall be granted or made only by a four-fifths vote of the voting members of the council. No franchise and no renewal or amendment thereof shall be granted or made within three months after the application therefor is filed with the city clerk, nor within thirty days after the publication in full of the proposed franchise in its final form, nor until a public hearing has been held thereon. No public utility franchise shall be transferable except with the approval of the council.

**Sec. 2. City to reserve certain rights.** All orders providing for grants, renewals, amendments or extensions of public utility franchises shall retain to the city the following rights:

(a) To repeal the same by order at any time for non-use, or for failure to begin construction within the time prescribed, or otherwise to comply with the terms prescribed;

(b) To require proper and adequate extension of plant and service, and the maintenance of the plant and fixtures at the highest practicable standard of efficiency;

(c) To establish reasonable standards of service and quality of products and prevent unjust discrimination in service or rates;

(d) To impose such other regulations as may be conducive to the safety, welfare, and accommodation of the public.

**ARTICLE IX.****Miscellaneous Provisions.**

**Sec. 1. Offices incompatible.** No member of the city council shall during the term for which he was chosen be eligible for any other office the salary of which is payable by the city, or shall during such term hold any such office.

**Sec. 2. City officers and employees not to be personally interested in contracts for labor, materials, etc.; not to accept favors from firm or corporation holding city franchise; exceptions.** No officer or employee of the

**CHAP. 201**

city, elected or appointed, shall be interested directly or indirectly in any contract for work or materials, or the purchase thereof, to be furnished or performed for the city. No such officer or employee, except a policeman or fireman, shall accept or receive from any person, firm, or corporation acting under a franchise or license from the city, any frank, free pass, free ticket, or free service, or accept directly or indirectly from any such person, firm, or corporation, any service upon terms more favorable than those granted to the public generally. This provision shall not apply however to any free service now or hereafter provided for by contract, franchise or ordinance.

**Sec. 3. Referendum provision, date of meeting, form of question, procedure.** This act shall be submitted for approval or rejection to the qualified voters of the city of Auburn at an election to be held the second Monday in September in the year nineteen hundred and seventeen and warrants shall be issued for such election in the manner now provided by law for the holding of municipal elections, notifying and warning the qualified voters of said city to meet in the several ward meetings of said city, there to cast their ballot for the approval or rejection of this act. The question proposed on said ballot shall be substantially in the following form:

"Shall an act passed by the legislature in the year nineteen hundred and seventeen, approved (insert date) entitled 'An Act to Grant a New Charter to the City of Auburn' be accepted," otherwise said ballot shall be in form provided by law when a constitutional amendment is submitted to the vote of the people. The provisions of law relating to the preparation of voting lists for municipal elections shall apply to such election and said election shall in all other respects be conducted as municipal elections in said city are now conducted by law, and the results thereof shall be determined in the manner now provided by law, for the determination of the election of mayor. If a majority of the ballots deposited as aforesaid shall reject, this act shall not go into effect, but if a majority of the electors voting at said ward meetings shall approve, then this act shall take effect as herein provided.

**Sec. 4. Date when effective.** So much of this act as authorizes the submission of the acceptance of this charter to the electors of the city of Auburn shall take effect as provided in the constitution of the state, but it shall not take further effect unless accepted by the electors of the city of Auburn as herein before provided. If accepted by the electors of the city, then this act for the purpose of nominating and electing officers hereunder shall take effect on the date of its adoption by the electors, and for all other purposes this act shall take effect on the first Monday in January in the year nineteen hundred and eighteen.

**Sec. 5. Ordinances not inconsistent continued in force.** All ordinances in force at the time when this charter takes effect, not inconsistent with the provisions of this charter, shall continue in force until amended or repealed.

**Sec. 6. Existing contracts not invalidated, unless inconsistent.** All rights, actions, proceedings, prosecutions, and contracts of the city or any

**CHAP. 202**

of its departments, pending or unexecuted when this charter goes into effect and not inconsistent therewith shall be enforced, continued or completed in all respects as though begun or executed hereunder.

**Sec. 7. Inconsistent statutes repealed when act becomes effective.** In case this act is approved in the manner hereinbefore provided, all acts and parts of acts inconsistent herewith are hereby repealed.

Approved April 7, 1917.

## Chapter 202.

An Act to Provide for Conducting Scientific Investigation Bearing upon the Agriculture of Aroostook County.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Investigations to be made by Maine Agricultural Experiment Station.** The Maine Agricultural Experiment Station, in addition to investigations now conducted by it, shall conduct scientific investigations bearing upon the agriculture of Aroostook county for the purpose of making effective section four of chapter one hundred ninety of the private and special laws of nineteen hundred thirteen.

**Sec. 2. Appropriation.** There shall be appropriated from the state treasury the sum of not exceeding five thousand dollars for the year nineteen hundred seventeen and the sum of five thousand dollars for the year nineteen hundred eighteen in favor of the Maine Agricultural Experiment Station, and the same shall be expended by the director of said station in executing the provisions of this act. The payment of said appropriation shall be made quarterly, on presentation of bills duly audited by the state auditor on order of the governor and council. The amount of this appropriation to be spent shall be in the discretion of the governor and council.

Approved April 7, 1917.

## Chapter 203.

An Act to Incorporate Gould Electric Company.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Corporators.** N. M. Jones, W. S. Davidson, A. R. Gould, E. R. Teed, R. H. McDonald, L. E. Gould and H. T. Powers, their associates, successors and assigns, are hereby made a body corporate by the name of Gould Electric Company.

**Sec. 2. Purposes.** The purposes of said corporation shall be to make, generate, buy, sell, distribute and supply electricity for all purposes, in the county of Aroostook, in accordance with the general statutes of the State of Maine relating to that business.

## CHAP. 206

**Board of Registration of Medicine.**

For board of registration of medicine, five hundred dollars	500 00
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**Charitable and Benevolent Institutions.**

For Trull Hospital, five hundred dollars	500 00
For Sisters of Charity, Waterville, five hundred dollars	500 00
For Calais Hospital, five hundred dollars	500 00
For Home for Aged Women, Belfast, two hundred dollars	200 00

**Executive Department.**

For Ida E. Heath, five hundred dollars	500 00
For Ernest Graffam, Poland, three hundred dollars	300 00
For Rachel Stanley, three hundred dollars	300 00
For Mary S. Hillman, five hundred dollars	500 00
For Rena Cooley, two hundred dollars	200 00
For interest on war loan, forty thousand dollars	40,000 00

**Inspector of Steam Vessels.**

For aid of navigation Moosehead lake, one hundred dollars	100 00
For aid of navigation Sebago lake, Songo river, Bay of Naples, Chute river, Long lake, four hundred dollars	400 00
For aid to navigation Rangeley lake, Mooselucmaguntic, Cupsuptic, three hundred fifty dollars	350 00
For aid of navigation North Twin lake, North Twin lake thoroughfare, South Twin lake, South Twin lake thoroughfare, Pamedumcook lake, Pamedumcook lake thoroughfare, Ambejejis lake, Ambejejis lake thoroughfare, two hundred dollars	200 00
For aid of navigation Sebec lake, one hundred dollars,	100 00
For aid of navigation of Lewys, Long and Big lakes, Washington county, fifty dollars	50 00
For aid of navigation in narrows between Upper and Lower Richardson lakes, fifty dollars	50 00

**Insurance Commissioner.**

For investigation of fires, five hundred dollars	500 00
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**Land Agent and Forest Commissioner.**

For state forest nursery, two thousand dollars	2,000 00
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**State Superintendent of Schools.**

For salary of deputy superintendent of schools, two hundred dollars	200 00
For Freedom academy, one thousand dollars	1,000 00



**SUPPLEMENTARY APPROPRIATIONS 1918.**

**709**

**CHAP. 206**

For Eastern Maine Institute, five hundred dollars	500 00
For Hartland academy, one thousand dollars	1,000 00
For Erskine academy, seven hundred fifty dollars	750 00
For Monmouth academy, five hundred dollars	500 00
For Ricker Classical Institute, five hundred dollars	500 00
For Limington academy, three hundred dollars	300 00
For Gould academy, five hundred dollars	500 00
For Limerick academy, three hundred dollars	300 00
For Westbrook seminary, one thousand dollars	1,000 00
For Anson academy, seven hundred fifty dollars	750 00
For free high schools, ten thousand dollars	10,000 00

**State Board of Health.**

For general fund, nine thousand dollars	9,000 00
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**Superior Court.**

For justice of the superior court for Androscoggin county, thirty-five hundred dollars	3,500 00
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**Supreme Judicial Court.**

For eight stenographers to justices of the supreme judicial court, twenty-four hundred dollars	2,400 00
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**State Sanatorium.**

For state sanatorium in Aroostook county, twenty thousand dollars	20,000 00
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**Maine State Library.**

For stipend free public libraries, eight thousand dollars	8,000 00
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**Sea and Shore Fisheries.**

For propagation of clams, one thousand dollars	1,000 00
For per diem and expenses of commissioners, one thousand five hundred dollars	1,500 00

**State Auditor.**

For increase state auditor's salary, five hundred dollars	500 00
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**Treasurer of State.**

For increase state treasurer's salary, five hundred dollars	500 00
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Amounting to the sum of one hundred twenty-three thousand and sixteen dollars	<b>\$123,016 00</b>
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Approved April 7, 1917.

## Chapter 207.

**An Act to appropriate moneys for the expenditures of government and for other purposes for the year nineteen hundred seventeen.**

*Be it enacted by the People of the State of Maine, as follows:*

**Supplementary appropriation bill for 1917.** In order to provide for the several acts and resolves of the legislature requiring the payment of moneys from the state treasury, and also to provide in part for the necessary expenditures of government and for other purposes, for the current fiscal year nineteen hundred seventeen, the following sums are hereby appropriated out of any moneys in the state treasury, and except where otherwise specially provided, the governor with the advice of the council, is hereby authorized at any time prior to the first day of July, nineteen hundred eighteen, to draw his warrant on the state treasurer for the same.

### Adjutant General's Department.

For Maine Volunteers, Spanish War, sixty-six dollars	\$ 66 00
For certain cities for dependent families of members of the National Guard, fourteen thousand seven hundred sixty-five dollars and seven cents	14,765 07
For 12th Company, N. G. S. M., five hundred dollars	500 00

### Bank Commissioner.

For salary of bank commissioner, seven hundred fifty dollars	750 00
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### Commissioner of Agriculture.

For enforcement of dairy laws, four thousand dollars	4,000 00
For analysis of food, seeds, etc., one thousand dollars	1,000 00
For Samuel L. Packard, loss of cattle, one hundred fifty dollars	150 00
For Joseph H. Underwood, loss of cattle, one hundred dollars	100 00
For control of the white pine blister rust and other fungous and insect pests, five thousand dollars	5,000 00

### Augusta State Hospital.

For Harlow building, sixty thousand dollars	60,000 00
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### Board of Registration of Medicine.

For board of registration of medicine, five hundred dollars	500 00
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### Book of Plans.

For book of plans Waldo county, two hundred fifty dollars	250 00
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**Charitable and Benevolent Institutions.**

For Trull Hospital aid, five hundred dollars	500 00
For Sisters of Charity, Waterville, five hundred dollars	500 00
For Calais Hospital, five hundred dollars	500 00
For Home for Aged Women, two hundred dollars	200 00

**Executive Department.**

For indexing documents by secretary of senate, one thousand dollars	1,000 00
For Allen Shenneck, one hundred twenty-one dollars	121 00
For coat of arms, senate chamber, five hundred dollars	500 00
For state contingent fund, fifty thousand dollars	50,000 00
For A. L. Dow and Co., one hundred forty-eight dollars and forty-seven cents	148 47
For Ida Heath, five hundred dollars	500 00
For Ernest E. Graffam, Poland, three hundred dollars	300 00
For Rachel Stanley, three hundred dollars	300 00
For Mary S. Hillman, five hundred dollars	500 00
For Rena Cooley, two hundred dollars	200 00
For Mabel G. Sanborn, twenty-three dollars	23 00
For interest on war loan, twenty thousand dollars	20,000 00

**Inspector of Steam Vessels.**

For aid of navigation Moosehead lake, two hundred dollars	200 00
For aid of navigation Sebago lake, Songo river, bay of Naples, Chute river, Long lake, four hundred dollars	400 00
For aid of navigation Rangeley lake, Mooselucmeguntic, Cupsuptic lakes, three hundred fifty dollars	350 00
For aid of navigation North Twin lake, North Twin lake thoroughfare, South Twin lake, South Twin lake thoroughfare, Pamedumcook lake, Pamedumcook lake thoroughfare, Ambejejis lake, Ambejejis lake thoroughfare, two hundred dollars	200 00
For aid of navigation Sebec lake, one hundred dollars	100 00
For aid of navigation, Lewys, Long and Big lakes in Washington county, fifty dollars	50 00
For aid of navigation in narrows between Upper and Lower Richardson lake, fifty dollars	50 00
For screening Fish river, five hundred dollars	500 00

**Insurance Commissioner.**

For investigation of fires, five hundred dollars	500 00
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**Land Agent and Forest Commissioner.**

For state forest nursery, two thousand dollars	2,000 00
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## CHAP. 207

**Penobscot Indians.**

For teachers' school and hospital, Indian Island, Old Town, two thousand four hundred twenty-five dollars	2,425 00
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**Public Utilities Commission.**

For co-operative survey boundary between Maine and New Hampshire, three thousand dollars	3,000 00
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**Reformatory For Women.**

For improvement of grounds and other purposes, five thou- sand five hundred dollars	5,500 00
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**State Superintendent of Schools.**

For Freedom academy, one thousand dollars	1,000 00
For Eastern Maine Institute, twelve hundred fifty dollars	1,250 00
For Hartland academy, one thousand dollars	1,000 00
For Erskine academy, seven hundred fifty dollars	750 00
For Monmouth academy, five hundred dollars	500 00
For Ricker Classical Institute, five hundred dollars	500 00
For Limington academy, three hundred dollars	300 00
For Gould academy, Bethel, five hundred dollars	500 00
For Limerick academy, three hundred dollars	300 00
For Westbrook Seminary, one thousand dollars	1,000 00
For Anson academy, seven hundred fifty dollars	750 00
For increase salary deputy superintendent of schools, one hun- dred dollars	100 00
For free high schools, ten thousand dollars	10,000 00

**Maine State Library.**

For stipend free public libraries, eight thousand dollars,	8,000 00
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**Secretary of State.**

For electoral college, three hundred seventy-five dollars	375 00
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**Sea and Shore Fisheries.**

For propagation of clams, one thousand dollars	1,000 00
For per diem and expenses of commissioners, one thousand five hundred dollars	1,500 00

**Superior Court.**

For salary of justice Androscoggin county seventeen hun- dred fifty dollars	1,750 00
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**Supreme Judicial Court.**

For salaries of eight stenographers to justices of the supreme judicial court, twelve hundred dollars	1,200 00
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**State Auditor.**

For increase state auditor's salary, five hundred dollars	\$500 00
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**State Board of Health.**

For general fund, four thousand five hundred dollars	4,500 00
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**Treasurer of State.**

For increase salary state treasurer, five hundred dollars	500 00
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Amounting to the sum of two hundred fourteen thousand nine hundred twenty-three dollars and fifty-four cents

214,923 54

Approved April 7, 1917.

**Chapter 208.**

An Act to Authorize Fort Kent Electric Company, to Erect and Maintain a Dam Across Wallagrass Stream.

*Be it enacted by the People of the State of Maine, as follows:*

**Sec. 1. Erection of dam across Wallagrass Stream authorized.** Fort Kent Electric Company, a corporation organized by law and located at Fort Kent, in the county of Aroostook and State of Maine, is hereby authorized to erect, construct and maintain a dam across Wallagrass stream, in Wallagrass plantation, in said county of Aroostook, at or near its power plant as now located on said Wallagrass stream, or maintain the dam of said electric company already erected, for the purpose of furnishing water power to be used for any of the purposes for which said Fort Kent Electric Company is organized.

**Sec. 2. Height not to exceed thirty feet.** For the aforesaid purposes said company may raise and maintain said dam to such height, not exceeding thirty feet, as shall enable it at all times to obtain a sufficient head of water on said Wallagrass stream for the proper and efficient operation of its said power plant.

**Sec. 3. Sluiceways to be maintained; no tolls charged.** Said company shall construct and maintain proper and suitable sluiceways to allow the free passage of logs, lumber and pulp wood, which sluiceways shall be at the disposal of all persons driving said stream without any charge for tolls, provided that at all times said company shall have the right to refuse to permit the use of said sluiceways when the flow of water in said stream is

**CHAP. 208**

such that the use of said sluiceways will prevent said company from holding a sufficient head of water for the proper operation of its said power plant, provided, nevertheless, that said corporation shall on demand at any time allow any person driving said stream a run of water equal to the natural flow thereof.

**Sec. 4. Adjustment of damages.** All persons damaged in their property rights by reason of the rights granted said company by this act shall be entitled to have their damages assessed in the same manner as is provided by law for the assessment of damages for the laying out of highways.

**Sec. 5. Transmission of electric current beyond confines of state prohibited; proviso.** It shall be unlawful for said corporation to transmit electric current for sale or use beyond the limits of this state, or to contract with any person, firm or corporation for the transmission or sale of electric current beyond the limits of this state and said corporation shall not be permitted to acquire in any manner the franchises of or consolidate with or transfer or lease its property, rights and franchises to any other corporation, firm or person now transmitting or having the right to transmit electric power beyond the confines of the state without express authority of the legislature, but nothing in this section shall make it unlawful for said corporation to transmit electric current to the parish of Clair for sale or use within the limits of said parish.

Approved April 7, 1917.

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**RESOLVES**

**OF THE**

**STATE OF MAINE**

**As Passed by the Seventy-Eighth  
Legislature**

**1917**

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**RESOLVES**

**OF THE**

**STATE OF MAINE**

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**1917**

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**Chapter 1.**

**Resolve, in Favor of 12th Company, C. A. C., N. G. S. M. on Account of Presidential Inauguration.**

**12th Company, C. A. C., N. G. S. M.** Resolved: That there be, and hereby is, appropriated the sum of five hundred dollars to aid 12th Company, C. A. C., N. G. S. M., in the inaugural of the President of the United States in the year nineteen hundred and seventeen.

Approved February 16, 1917.

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**Chapter 2.**

**Resolve, Reimbursing the State Legislative Printer for Overtime Work.**

**Kennebec Journal Co.** Resolved: That there be, and hereby is, appropriated the sum of two hundred nine dollars forty-two cents, with interest thereon at the rate of six per cent per annum from June ninth, nineteen hundred and fifteen, for the purpose of reimbursing the Kennebec Journal

**CHAP. 3**

Company for overtime work performed pursuant to its contract with the state, and at the request of the proper authorities of the seventy-seventh legislature.

Approved February 16, 1917.

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## Chapter 3.

Resolve, in favor of Rachel Stanley.

**Rachel Stanley of Paris.** Resolved: That there be, and hereby is, appropriated three hundred dollars per annum for the years nineteen hundred and seventeen and nineteen hundred and eighteen, the said money to be paid Rachel Stanley of Paris in quarterly payments of seventy-five dollars each, under the supervision of the governor and council.

Approved February 20, 1917.

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## Chapter 4.

Resolve, Proposing an Amendment to the Constitution Granting Suffrage to Women upon Equal Terms with Men.

**Woman Suffrage, constitutional amendment.** Resolved: Two-thirds of the legislature concurring, that the following amendment to the constitution of this state be proposed for the action of the legal voters, to wit, by adding thereto the following article:

'The right to vote or to hold office shall not be denied or abridged on account of sex; provided, however, that citizens by marriage only shall not be allowed to vote or hold office until after a period of residence in the United States equal to that required by law for the naturalization of men in this state. In the construction of this constitution the masculine pronoun shall be construed as including both men and women.'

Section one of article two of this constitution is amended by striking out the word "male" in the first line of said section.

**Date of vote.** Resolved: That the aldermen of cities, the selectmen of towns, and the assessors of the several plantations in this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns, and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, on the second Monday in September following the passage of this resolve, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: "Shall the constitution be amended as proposed by a resolution of the legislature granting suffrage to women upon equal terms with men?"

And the inhabitants of said cities, towns, and plantations shall vote by ballot on said question, those in favor of the amendment expressing it by the word "Yes" upon their ballots and those opposed to the amendment by the word "No" upon their ballots, and the ballots shall be received, sorted,

counted, and declared in open ward, town and plantation meetings, and returns made to the office of secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, it shall thereupon become a part of the constitution, and the governor shall forthwith make known the fact by his proclamation.

**Notification of municipalities.** Resolved: That the secretary of state shall prepare and furnish to the several cities, towns, and plantations ballots and blank returns in conformity with the foregoing resolves accompanied by a copy thereof.

Approved February 23, 1917.

## Chapter 5.

**Resolve in Favor of the Recording and Other Officers of the House of Representatives of the Seventy-seventh Legislature, for Services at the Organization of the House of Representatives of the Seventy-eighth Legislature.**

**Organization of 78th legislature.** Resolved: That there be, and hereby is, appropriated to be paid to each of the following officers for attendance at the organization of the seventy-eighth legislature, the amount set against their respective names, the total being the sum of four hundred sixty-seven dollars.

	Service	Mileage
C. C. Harvey, clerk, service fifty dollars, mileage fifty-three dollars,	\$50 00	\$53 00
Fortunat Belleau, assistant clerk, service twenty-five dollars, mileage eleven dollars.	25 00	11 00
H. M. Rogers, messenger, service twenty-five dollars, mileage eighteen dollars.	25 00	18 00
F. H. Leonard, assistant messenger, service fifteen dollars, mileage nine dollars.	15 00	9 00
James H. Muldoon, postmaster, service fifteen dollars, mileage forty-two dollars.	15 00	42 00
Roger D. Sleeper, page, service fifteen dollars, mileage twenty-five dollars.	15 00	25 00
R. C. Frank, page, service fifteen dollars, mileage fourteen dollars.	15 00	14 00
E. S. Austin, document clerk, service fifteen dollars, mileage fifteen dollars.	15 00	15 00
N. S. Gray, door-keeper, service fifteen dollars, mileage, eighteen dollars.	15 00	18 00

**720 CHARLES F. BARNES—COAT OF ARMS—CENTRAL MAINE ASSOCIATION.**

**CHAP. 6**

	Service	Mileage
Estate of J. B. Potter, folder, service fifteen dollars, mileage twenty-two dollars.	15 00	22 00
F. K. Jack, assistant folder, service fifteen dollars, mileage five dollars.	15 00	5 00
P. H. Fitzgerald, mail-carrier, service fifteen dollars.	15 00	
<b>Making a total of two hundred thirty-five dollars for service, and two hundred thirty-two dollars for mileage.</b>	<b>235 00</b>	<b>232 00</b>

Approved March 1, 1917.

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## Chapter 6.

**Resolve, in Favor of Charles F. Barnes for Services as Page at the Organization of the Seventy-eighth Legislature.**

**Charles F. Barnes of Houlton.** Resolved: That there be, and hereby is, appropriated to be paid to Charles F. Barnes, of Houlton, a page in the senate of the seventy-seventh legislature, the sum of fifteen dollars, and the usual mileage amounting to the sum of forty-five dollars in addition, for services and attendance at the organization of the senate of the seventy-eighth legislature.

Approved March 1, 1917.

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## Chapter 7.

**Resolve, Appropriating the Sum of Five Hundred Dollars for a Coat of Arms of the State of Maine for the Senate Chamber.**

**Coat of Arms for Senate Chamber.** Resolved: That there be, and hereby is, appropriated the sum of five hundred dollars or so much of the same as may be required to be expended for a coat of arms of the State of Maine, for the Senate Chamber, and the expense of putting the same in place.

Approved March 1, 1917.

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## Chapter 8.

**Resolve, in Favor of the Central Maine Association for Relief and Control of Tuberculosis, for Payment of Outstanding Debts.**

**Central Maine Association.** Resolved: That the sum of six thousand six hundred and sixty-three dollars and seventy-two cents be, and hereby is, appropriated to pay the outstanding debts of the Central Maine Association for the Relief and Control of Tuberculosis, the same to be expended under the direction of the board of trustees for tuberculosis sanatoriums.

Approved March 8, 1917.

## Chapter 9.

Resolve, in favor of the State Tuberculosis Sanatoriums for Maintenance and Other Purposes for the Year Nineteen Hundred and Seventeen and Nineteen Hundred and Eighteen.

**State Tuberculosis Sanatoriums.** Resolved: That there be, and hereby is, appropriated:

### For the Central Maine Sanatorium

	1917	1918
<b>For personal services</b> , namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment, for the year nineteen hundred and seventeen, the sum of eight thousand five hundred dollars, and for the year nineteen hundred and eighteen, the sum of eleven thousand four hundred dollars,	\$8,500 00	\$11,400 00
<b>For food supplies</b> , namely, all articles of food, for the year nineteen hundred seventeen, the sum of nine thousand five hundred dollars, and for the year nineteen hundred eighteen, the sum of twenty-eight thousand dollars,	9,500 00	28,000 00
<b>For repairs and equipment</b> , namely, all materials and supplies required for upkeep of grounds, buildings and attached fixtures; all additions to and repairs and replacements of furniture and equipment, including farm equipment and livestock, and all personal services rendered wholly in connection with repair work, for the year nineteen hundred seventeen, the sum of two thousand nine hundred dollars, and for the year nineteen hundred eighteen, the sum of seven thousand dollars,	2,900 00	7,000 00
<b>For general expenses</b> , namely, all other materials, supplies and expenses incident to maintenance of the institution and the patients thereof, whether present or absent, including fifteen hundred dollars for the care and treatment at the Bangor Anti-Tuberculosis Sanatorium of patients eligible for care at said Central Sanatorium, for whom there are not sufficient or suitable accommodations, for the year nineteen hundred seventeen, the sum of seven thousand one hundred dollars, and for the year nineteen hundred eighteen, including fifteen hundred dol-		

## CHAP. 9

	1917	1918
lars as previously specified, the sum of seventeen thousand one hundred dollars,	7,100 00	17,100 00
<b>For remodeling Chase building</b> , so-called, for the year nineteen hundred eighteen, the sum of seven thousand five hundred dollars (This building to be hereafter known and designated as the Chase Memorial Building,)		7,500 00
<b>For equipment of said remodeled Chase building</b> for the year nineteen hundred eighteen, the sum of seven thousand dollars,		7,000 00
<b>For sewerage system and water main</b> for the year nineteen hundred seventeen, the sum of six thousand dollars,	6,000 00	
<b>For the construction of two new pavilions</b> , for the year nineteen hundred seventeen, the sum of twenty thousand dollars, and for the year nineteen hundred eighteen, the sum of twenty thousand dollars,	20,000 00	20,000 00

**Western Maine Sanatorium for 1917 and 1918**

<b>For personal services</b> , namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment, for the year nineteen hundred seventeen, the sum of twenty-four thousand three hundred dollars, and for the year nineteen hundred eighteen, the sum of twenty-four thousand three hundred dollars,	24,300 00	24,300 00
<b>For food supplies</b> , namely, all articles of food, for the year nineteen hundred seventeen, the sum of twenty-six thousand six hundred dollars, and for the year nineteen hundred eighteen, the sum of twenty-six thousand six hundred dollars,	26,600 00	26,600 00
<b>For repairs and equipment</b> , namely, all materials and supplies required for upkeep of grounds, buildings and attached fixtures; all additions to and repairs and replacements of furniture and equipment, including farm equipment and livestock, and all personal services rendered wholly in connection with repair work, for the year nineteen hundred seventeen, the sum of eight thousand six hundred		

1917

1918

dollars, and for the year nineteen hundred eighteen, the sum of eight thousand six hundred dollars,

8,600 00

8,600 00

**For general expenses**, namely, all other materials, supplies and expenses incident to maintenance of the institution and the patients thereof, whether present or absent, for the year nineteen hundred seventeen, the sum of eighteen thousand eight hundred and twenty-five dollars and for the year nineteen hundred eighteen, the sum of eighteen thousand eight hundred and twenty-five dollars,

18,825 00

18,825 00

**For construction of sewerage system**, for the year nineteen hundred seventeen, the sum of two thousand five hundred dollars,

2,500 00

**For construction of poultry houses**, for the year nineteen hundred seventeen, the sum of one thousand dollars,

1,000 00

**Provided**, that any balance of the sums above appropriated for the year nineteen hundred seventeen which may remain unexpended at the end of the year shall be available for expenditure during the year nineteen hundred eighteen, and provided further that the expenditure of all of the sums above appropriated by, or under the control of, the trustees of said sanatoriums, shall be subject to the direction and approval of the governor and council, who may, by order, upon recommendation of the said trustees, authorize the use of unexpended balances of any of the above appropriations to meet deficiencies for the same institution.

Approved March 8, 1917.

## Chapter 10.

**Resolve**, in favor of the Maine School for the Feeble Minded for Maintenance and Other Purposes for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen.

**Maine School for Feeble Minded.** Resolved: That there be, and hereby is, appropriated for the Maine School for the Feeble Minded:

**For personal services**, namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment, for the year nineteen hundred seventeen, the sum of twenty-five thousand dollars, and for the year

## CHAP. 10

	1917	1918
nineteen hundred eighteen, the sum of twenty-six thousand dollars.	25,000	26,000
<b>For food supplies, namely,</b> all articles of food, for the year nineteen hundred and seventeen, the sum of twenty-four thousand dollars, and for the year nineteen hundred and eighteen the sum of twenty-eight thousand dollars.	24,000	28,000
<b>For clothing, namely,</b> all articles of personal clothing and materials for making the same, for the year nineteen hundred seventeen, the sum of five thousand dollars, and for the year nineteen hundred eighteen, the sum of six thousand dollars.	5,000	6,000
<b>For repairs and equipment, namely,</b> all materials and supplies required for upkeep of grounds, buildings and attached fixtures; all additions to and repairs and replacements of furniture and equipment, including farm equipment and live stock, and all personal services rendered wholly in connection with repair work, for the year nineteen hundred seventeen, the sum of nine thousand dollars, and for the year nineteen hundred eighteen, the sum of ten thousand dollars.	9,000	10,000
<b>For general expenses, namely,</b> all other materials, supplies and expenses, incident to maintenance of the institution and the inmates thereof, whether present or absent, for the year nineteen hundred seventeen, the sum of eleven thousand seven hundred and sixty-five dollars, and for the year nineteen hundred eighteen, the sum of ten thousand one hundred dollars.	11,765	10,100
<b>For construction of central heating and power plant</b> for the year nineteen hundred seventeen, the sum of twenty-five thousand dollars.	25,000	
<b>For construction and improvement</b> for the year nineteen hundred eighteen, the sum of one hundred thousand dollars.		100,000

**Provided,** that any balance of the sums above appropriated for the year nineteen hundred seventeen which may remain unexpended at the end of the year shall be available for expenditures during the year nineteen hundred eighteen, and provided further, that the governor and council may, by



## CHAP. 11

order, upon recommendation of the trustees of said institution, authorize the use of unexpended balances of any of the above appropriations to meet deficiencies in other appropriations for such institution.

**Provided also**, that only so much of the above appropriation for construction and improvement shall be expended as both the trustees of said institution and the governor and council shall approve, after a thorough study of the situation has been made.

Approved March 8, 1917.

## Chapter 11.

Resolve, for Indexing the Documents Filed by the Legislatures of Maine since Eighteen Hundred Twenty, now in the Office of the Secretary of the Senate.

**W. E. Lawry, of Augusta.** Resolved, that there be, and hereby is, appropriated the sum of one thousand dollars to be paid, at the discretion of the governor and council, to W. E. Lawry, secretary of the senate, for properly filing and indexing the papers and documents in the office of the secretary of the senate, which have been filed by the legislatures since eighteen hundred twenty and are not now properly filed and indexed.

Approved March 8, 1917.

## Chapter 12.

Resolve, in favor of the Penobscot Tribe of Indians for the General Care, Maintenance, Relief and Education Thereof.

**Penobscot Indians.** Whereas, the State of Maine holds in trust for the Penobscot tribe of Indians a certain large sum of money, and whereas all of the funds appropriated by the seventy-seventh legislature for the care, maintenance and relief of said tribe have been expended for the purposes and in the manner prescribed by law, and because of the lack of available funds said tribe may fall into distress and be deprived of proper food, shelter and clothing and

Whereas, by reason of the foregoing facts the appropriation called for by this resolve is immediately necessary for the preservation of the public peace, health and safety and in the opinion of this legislature constitutes an emergency as contemplated by the constitution, be it therefore

Resolved: That there be paid from the state treasury to be expended under the direction of the governor and council by the agent of the Penobscot tribe of Indians, for the benefit of said tribe for the years nineteen hundred and seventeen and nineteen hundred and eighteen as follows:

	1917	1918
<b>Interest on Indian trust fund</b> five thousand two hundred eighty-five dollars fifty-five cents for the year nineteen hundred and seventeen, and five thousand two hundred eighty-five dollars fifty-five cents for the year nineteen hundred and eighteen.	5,285 55	5,285 55

## CHAP. 12

	1917	1918
<b>For farming purposes</b> , one thousand dollars for the year nineteen hundred and seventeen and one thousand dollars for the year nineteen hundred and eighteen.	1,000 00	1,000 00
<b>For bounty on crops</b> , five hundred dollars for the year nineteen hundred and seventeen and five hundred dollars for the year nineteen hundred and eighteen.	500 00	500 00
<b>For teachers' salaries</b> , one thousand dollars for the year nineteen hundred and seventeen and one thousand dollars for the year nineteen hundred and eighteen.	1,000 00	1,000 00
<b>Incidental expenses for schools and public buildings</b> , (including fifty dollars for salary of superintendent of Island school), seven hundred dollars for the year nineteen hundred and seventeen and seven hundred dollars for the year nineteen hundred and eighteen.	700 00	700 00
<b>For medicine and medical attendance</b> , eighteen hundred dollars for the year nineteen hundred and seventeen and eighteen hundred dollars for the year nineteen hundred and eighteen.	1,800 00	1,800 00
<b>Annuity or fall dividend</b> , seventeen hundred dollars for the year nineteen hundred and seventeen and seventeen hundred dollars for the year nineteen hundred and eighteen.	1,700 00	1,700 00
<b>Shore rentals</b> , fifteen per cent. of which is to be appropriated and allowed for municipal purposes including hydrants, two thousand five hundred thirty-nine dollars for the year nineteen hundred and seventeen and two thousand five hundred and thirty-nine dollars for the year nineteen hundred and eighteen.	2,539 00	2,539 00
<b>Salary of governor of tribe</b> , one hundred dollars for year nineteen hundred and seventeen and one hundred dollars for year nineteen hundred and eighteen.	100 00	100 00
<b>Salary lieutenant governor of tribe</b> , fifty dollars for the year nineteen hundred and		

	1917	1918
seventeen, and fifty dollars for the year nineteen hundred and eighteen.	50 00	50 00
<b>Salary priest</b> , four hundred dollars for year nineteen hundred and seventeen and four hundred dollars for year nineteen hundred and eighteen.	400 00	400 00
<b>Salary constable</b> , three hundred dollars for year nineteen hundred and seventeen and three hundred dollars for year nineteen hundred and eighteen.	300 00	300 00
<b>Salary superintendent of farming</b> , fifty dollars for the year nineteen hundred and seventeen and fifty dollars for the year nineteen hundred and eighteen.	50 00	50 00
<b>Salary Indian agent</b> , five hundred dollars for year nineteen hundred seventeen and five hundred dollars for year nineteen hundred eighteen.	500 00	500 00
<b>Special poor fund</b> , twenty-five hundred dollars for year nineteen hundred seventeen and twenty-five hundred dollars for year nineteen hundred eighteen.	2,500 00	2,500 00
<b>Purchase of basket ash</b> for use of tribe, three hundred fifty dollars for year nineteen hundred seventeen and three hundred fifty dollars for year nineteen hundred eighteen.	350 00	350 00
<b>Making a total of eighteen thousand seven hundred seventy-four dollars fifty-five cents</b> for the year nineteen hundred seventeen and eighteen thousand seven hundred seventy-four dollars and fifty-five cents for the year nineteen hundred eighteen.	18,774 55	18,774 55

The Indian agent is hereby authorized and instructed to pay out of the interest on the Indian Trust Fund for the hauling of seven cords of wood to each family, such families furnishing their own wood.

**Emergency.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Approved March 8, 1917..

## CHAP. 10

	1917	1918
nineteen hundred eighteen, the sum of twenty-six thousand dollars.	25,000	26,000
<b>For food supplies, namely,</b> all articles of food, for the year nineteen hundred and seventeen, the sum of twenty-four thousand dollars, and for the year nineteen hundred and eighteen the sum of twenty-eight thousand dollars.	24,000	28,000
<b>For clothing, namely,</b> all articles of personal clothing and materials for making the same, for the year nineteen hundred seventeen, the sum of five thousand dollars, and for the year nineteen hundred eighteen, the sum of six thousand dollars.	5,000	6,000
<b>For repairs and equipment, namely,</b> all materials and supplies required for upkeep of grounds, buildings and attached fixtures; all additions to and repairs and replacements of furniture and equipment, including farm equipment and live stock, and all personal services rendered wholly in connection with repair work, for the year nineteen hundred seventeen, the sum of nine thousand dollars, and for the year nineteen hundred eighteen, the sum of ten thousand dollars.	9,000	10,000
<b>For general expenses, namely,</b> all other materials, supplies and expenses, incident to maintenance of the institution and the inmates thereof, whether present or absent, for the year nineteen hundred seventeen, the sum of eleven thousand seven hundred and sixty-five dollars, and for the year nineteen hundred eighteen, the sum of ten thousand one hundred dollars.	11,765	10,100
<b>For construction of central heating and power plant</b> for the year nineteen hundred seventeen, the sum of twenty-five thousand dollars.	25,000	
<b>For construction and improvement</b> for the year nineteen hundred eighteen, the sum of one hundred thousand dollars.		100,000

**Provided,** that any balance of the sums above appropriated for the year nineteen hundred seventeen which may remain unexpended at the end of the year shall be available for expenditures during the year nineteen hundred eighteen, and provided further, that the governor and council may, by

## CHAP. 11

order, upon recommendation of the trustees of said institution, authorize the use of unexpended balances of any of the above appropriations to meet deficiencies in other appropriations for such institution.

**Provided also**, that only so much of the above appropriation for construction and improvement shall be expended as both the trustees of said institution and the governor and council shall approve, after a thorough study of the situation has been made.

Approved March 8, 1917.

## Chapter 11.

**Resolve, for Indexing the Documents Filed by the Legislatures of Maine since Eighteen Hundred Twenty, now in the Office of the Secretary of the Senate.**

**W. E. Lawry, of Augusta.** Resolved, that there be, and hereby is, appropriated the sum of one thousand dollars to be paid, at the discretion of the governor and council, to W. E. Lawry, secretary of the senate, for properly filing and indexing the papers and documents in the office of the secretary of the senate, which have been filed by the legislatures since eighteen hundred twenty and are not now properly filed and indexed.

Approved March 8, 1917.

## Chapter 12.

**Resolve, in favor of the Penobscot Tribe of Indians for the General Care, Maintenance, Relief and Education Thereof.**

**Penobscot Indians.** Whereas, the State of Maine holds in trust for the Penobscot tribe of Indians a certain large sum of money, and whereas all of the funds appropriated by the seventy-seventh legislature for the care, maintenance and relief of said tribe have been expended for the purposes and in the manner prescribed by law, and because of the lack of available funds said tribe may fall into distress and be deprived of proper food, shelter and clothing and

Whereas, by reason of the foregoing facts the appropriation called for by this resolve is immediately necessary for the preservation of the public peace, health and safety and in the opinion of this legislature constitutes an emergency as contemplated by the constitution, be it therefore

Resolved: That there be paid from the state treasury to be expended under the direction of the governor and council by the agent of the Penobscot tribe of Indians, for the benefit of said tribe for the years nineteen hundred and seventeen and nineteen hundred and eighteen as follows:

	1917	1918
<b>Interest on Indian trust fund</b> five thousand two hundred eighty-five dollars fifty-five cents for the year nineteen hundred and seventeen, and five thousand two hundred eighty-five dollars fifty-five cents for the year nineteen hundred and eighteen.	5,285 55	5,285 55

## CHAP. 12

	1917	1918
<b>For farming purposes</b> , one thousand dollars for the year nineteen hundred and seventeen and one thousand dollars for the year nineteen hundred and eighteen.	1,000 00	1,000 00
<b>For bounty on crops</b> , five hundred dollars for the year nineteen hundred and seventeen and five hundred dollars for the year nineteen hundred and eighteen.	500 00	500 00
<b>For teachers' salaries</b> , one thousand dollars for the year nineteen hundred and seventeen and one thousand dollars for the year nineteen hundred and eighteen.	1,000 00	1,000 00
<b>Incidental expenses for schools and public buildings</b> , (including fifty dollars for salary of superintendent of Island school), seven hundred dollars for the year nineteen hundred and seventeen and seven hundred dollars for the year nineteen hundred and eighteen.	700 00	700 00
<b>For medicine and medical attendance</b> , eighteen hundred dollars for the year nineteen hundred and seventeen and eighteen hundred dollars for the year nineteen hundred and eighteen.	1,800 00	1,800 00
<b>Annuity or fall dividend</b> , seventeen hundred dollars for the year nineteen hundred and seventeen and seventeen hundred dollars for the year nineteen hundred and eighteen.	1,700 00	1,700 00
<b>Shore rentals</b> , fifteen per cent. of which is to be appropriated and allowed for municipal purposes including hydrants, two thousand five hundred thirty-nine dollars for the year nineteen hundred and seventeen and two thousand five hundred and thirty-nine dollars for the year nineteen hundred and eighteen.	2,539 00	2,539 00
<b>Salary of governor of tribe</b> , one hundred dollars for year nineteen hundred and seventeen and one hundred dollars for year nineteen hundred and eighteen.	100 00	100 00
<b>Salary lieutenant governor of tribe</b> , fifty dollars for the year nineteen hundred and		

PENOBSCOT INDIANS.

727

CHAP. 12

	1917	1918
seventeen, and fifty dollars for the year nineteen hundred and eighteen.	50 00	50 00
<b>Salary priest</b> , four hundred dollars for year nineteen hundred and seventeen and four hundred dollars for year nineteen hundred and eighteen.	400 00	400 00
<b>Salary constable</b> , three hundred dollars for year nineteen hundred and seventeen and three hundred dollars for year nineteen hundred and eighteen.	300 00	300 00
<b>Salary superintendent of farming</b> , fifty dollars for the year nineteen hundred and seventeen and fifty dollars for the year nineteen hundred and eighteen.	50 00	50 00
<b>Salary Indian agent</b> , five hundred dollars for year nineteen hundred seventeen and five hundred dollars for year nineteen hundred eighteen.	500 00	500 00
<b>Special poor fund</b> , twenty-five hundred dollars for year nineteen hundred seventeen and twenty-five hundred dollars for year nineteen hundred eighteen.	2,500 00	2,500 00
<b>Purchase of basket ash</b> for use of tribe, three hundred fifty dollars for year nineteen hundred seventeen and three hundred fifty dollars for year nineteen hundred eighteen.	350 00	350 00
<b>Making a total of eighteen thousand seven hundred seventy-four dollars fifty-five cents</b> for the year nineteen hundred seventeen and eighteen thousand seven hundred seventy-four dollars and fifty-five cents for the year nineteen hundred eighteen.	18,774 55	18,774 55

The Indian agent is hereby authorized and instructed to pay out of the interest on the Indian Trust Fund for the hauling of seven cords of wood to each family, such families furnishing their own wood.

**Emergency.** In view of the emergency cited in the preamble, this resolve shall take effect when approved.

Approved March 8, 1917..

## Chapter 13.

**Resolve, Making Appropriations for the Passamaquoddy Tribe of Indians for the Years Nineteen Hundred and Seventeen and Nineteen Hundred and Eighteen.**

**Passamaquoddy Indians.** Whereas, the State of Maine holds in trust for the Passamaquoddy tribe of Indians a certain large sum of money to wit: ninety thousand two hundred ninety-seven dollars and sixty-six cents; and whereas all funds appropriated by the seventy-seventh legislature for the care, maintenance and relief of said tribe have been expended for the purposes and in the manner prescribed by law, and because of the lack of available funds, said tribe may fall into distress and be deprived of proper food, shelter and clothing;

Whereas by reason of the foregoing facts the appropriation called for in this resolve is immediately necessary for the preservation of the public peace, health and safety, and in the opinion of this legislature constitutes an emergency as contemplated in the constitution, be it therefore

Resolved: That there be paid from the state treasury, to be expended under the direction of the governor and council, to the agent of the Passamaquoddy tribe of Indians for the benefit of said tribe for the years nineteen hundred seventeen and nineteen hundred eighteen, as follows:

	1917	1918
<b>Interest on Indian trust fund</b> , five thousand four hundred seventeen dollars and eighty-six cents for the year nineteen hundred seventeen, and five thousand four hundred seventeen dollars and eighty-six cents for the year nineteen hundred eighteen, the same to be used as a distress poor fund.	5,417 86	5,417 86
<b>For May dividends</b> , four hundred dollars for the year nineteen hundred seventeen and four hundred dollars for the year nineteen hundred eighteen.	400 00	400 00
<b>For November dividends</b> , four hundred dollars for the year nineteen hundred seventeen and four hundred dollars for the year nineteen hundred eighteen.	400 00	400 00
<b>For distressed poor</b> , six hundred dollars for the year nineteen hundred seventeen and six hundred dollars for the year nineteen hundred eighteen.	600 00	600 00
<b>For agricultural purposes</b> , four hundred dollars for the year nineteen hundred seventeen and four hundred dollars for the year nineteen hundred eighteen.	400 00	400 00



	1917	1918
<b>For ploughing</b> , one hundred dollars for the year nineteen hundred seventeen and one hundred dollars for the year nineteen hundred eighteen.	100 00	100 00
<b>For fertilizer</b> , one hundred dollars for the year nineteen hundred seventeen and one hundred dollars for the year nineteen hundred eighteen.	100 00	100 00
<b>For bounty on crops</b> , one hundred dollars for the year nineteen hundred seventeen and one hundred dollars for the year nineteen hundred eighteen.	100 00	100 00
<b>For wood</b> , twelve hundred dollars for the year nineteen hundred seventeen and twelve hundred dollars for the year nineteen hundred eighteen.	1,200 00	1,200 00
<b>For educational purposes</b> , fifteen hundred dollars for the year nineteen hundred seventeen and fifteen hundred dollars for the year nineteen hundred eighteen.	1,500 00	1,500 00
<b>For salary of priests</b> , one thousand dollars for the year nineteen hundred seventeen and one thousand dollars for the year nineteen hundred eighteen.	1,000 00	1,000 00
<b>For doctors' bills and medicines</b> twelve hundred dollars for the year nineteen hundred seventeen and twelve hundred dollars for the year nineteen hundred eighteen.	1,200 00	1,200 00
<b>For salary of governors</b> , one hundred dollars for the year nineteen hundred seventeen and one hundred dollars for the year nineteen hundred eighteen.	100 00	100 00
<b>For salary of lieutenant governors</b> , forty dollars for the year nineteen hundred seventeen and forty dollars for the year nineteen hundred eighteen.	40 00	40 00
<b>For the salary of agent</b> , five hundred dollars for the year nineteen hundred seventeen and five hundred dollars for the year nineteen hundred eighteen.	500 00	500 00

## CHAP. 18

	1917	1918
<b>For salary of police at Pleasant Point</b> , one hundred dollars for the year nineteen hundred seventeen and one hundred dollars for the year nineteen hundred eighteen.	100 00	100 00
<b>For salary of police at Peter Dana's Point</b> , fifty dollars for the year nineteen hundred seventeen and fifty dollars for the year nineteen hundred eighteen.	50 00	50 00
<b>For school books</b> , one hundred dollars for the year nineteen hundred seventeen and one hundred dollars for the year nineteen hundred eighteen.	100 00	100 00
<b>For insurance on church and school</b> , one hundred and fifty dollars for year nineteen hundred seventeen and one hundred and fifty dollars for the year nineteen hundred eighteen.	150 00	150 00
<b>For repairs on roads at Pleasant Point</b> , one hundred dollars for the year nineteen hundred seventeen and one hundred dollars for the year nineteen hundred eighteen.	100 00	100 00
<b>For repairs on roads at Peter Dana's Point</b> , six hundred dollars for the year nineteen hundred seventeen.	600 00	
<b>For basket ash</b> , five hundred dollars for the year nineteen hundred seventeen and five hundred dollars for the year nineteen hundred eighteen.	500 00	500 00
<b>For janitor's service at Pleasant Point</b> , two hundred dollars for the year nineteen hundred seventeen and two hundred dollars for the year nineteen hundred eighteen.	200 00	200 00
<b>For janitor's service at Peter Dana's Point</b> , fifty dollars for the year nineteen hundred seventeen and fifty dollars for the year nineteen hundred eighteen.	50 00	50 00
<b>For fuel for school, church and convent</b> , six hundred dollars for the year nineteen hundred seventeen and six hundred dollars for the year nineteen hundred eighteen.	600 00	600 00
<b>For painting and repairing buildings at Pleasant Point</b> , seven hundred and fifty dollars for the year nineteen hundred seventeen and		

	1917	1918
seven hundred and fifty dollars for year nineteen hundred eighteen.	750 00	750 00.
<b>For painting and repairing buildings at Peter Dana's Point, five hundred dollars for the year nineteen hundred seventeen and five hundred dollars for the year nineteen hun- dred eighteen.</b>	500 00	500 00.
<b>For completing church at Peter Dana's Point, twenty-five hundred dollars for the year nineteen hundred seventeen.</b>	2,500 00	
<b>For floor for town hall at Pleasant Point, one hundred dollars for the year nineteen hun- dred seventeen.</b>	100 00	
<b>For toilet room for schoolhouse at Pleasant Point, one hundred dollars for the year nine- teen hundred seventeen.</b>	100 00	
<b>Contingent fund for the year nineteen hundred eighteen, two hundred dollars.</b>		200 00.
<b>Making a total of nineteen thousand four hun- dred fifty-seven dollars and eighty-six cents for nineteen hundred seventeen and sixteen thousand three hundred fifty-seven dollars and eighty-six cents for the year nineteen hundred eighteen.</b>	19,457 86	16,357 86.
<b>Emergency.</b> In view of the emergency cited in the preamble, this resolve shall take effect when approved.		

Approved March 8, 1917.

## Chapter 14.

Resolve in Favor of George A. Dow.

**George A. Dow.** Resolved: That the sum of fifty-eight dollars and sev-  
enty-five cents be paid to George A. Dow, for services as fish warden.

Approved March 12, 1917.

## Chapter 15.

**Resolve, in favor of A. L. Dow & Company for Extra Labor and Material Furnished in Installing Plumbing at the State School for Boys in the years Nineteen Hundred Five and Six.**

**A. L. Dow & Co. of Portland.** Resolved: That there be, and hereby is, appropriated the sum of one hundred forty-eight dollars and forty-seven cents to be paid to Albert L. Dow and George F. Grant, both of Portland, Maine, co-partners under the firm name and style of A. L. Dow & Co., for extra labor and material furnished during the years nineteen hundred five and nineteen hundred and six, by them in installing plumbing in the State School for boys at South Portland, in excess of the contract price as specified and accepted.

Approved March 12, 1917.

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## Chapter 16.

**Resolve, Reimbursing the Town of Westfield for money expended for a State Pauper.**

**Town of Westfield.** Resolved: That the sum of four hundred and two dollars be appropriated and paid to the town of Westfield for the year nineteen hundred seventeen, said sum to be paid for reimbursement of state pauper expenses.

Approved March 12, 1917.

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## Chapter 17.

**Resolve, in Favor of the Board of Registration of Medicine.**

**Board of Registration of Medicine.** Resolved: That there be, and hereby is, appropriated the sum of five hundred dollars for the year nineteen hundred and seventeen, and the sum of five hundred dollars for the year nineteen hundred and eighteen for the board of registration of medicine, the same to be kept by the state treasurer as a carrying account, and paid out by him for such compensation and the incidentals and travelling expenses as shall be approved by the board and audited by the governor and council, as provided for in section seventeen of chapter eighteen, revised statutes. Before using any of the money hereby appropriated, the treasurer shall use the fees received from the board as specified in said section seventeen.

Approved March 12, 1917.

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## Chapter 18.

**Resolve, to Amend Chapter Ninety-six of the Resolves of Nineteen Hundred and Nine, Relating to Animal Industry.**

**Res., 1905, c. 32, as amended by Res., 1909, c. 96, further amended.** Resolved: That Chapter thirty-two of the Resolves of nineteen hundred and five as amended by Resolves of nineteen hundred and nine, chapter ninety-

**CHAP. 19**

six be and is hereby amended by striking out the words "dairy interests" in the fourth line and inserting the words 'animal industry' and by striking out the words "a dairy" in the fifth line and inserting the words 'an animal husbandry' so that said chapter as amended shall read as follows:

**'Appropriation to be expended for improvement of animal industry.** Resolved: That there be, and hereby is, appropriated, to be expended under the direction of the commissioner of agriculture, the sum of five thousand dollars annually hereafter for the purpose of improving and protecting the animal industry of the State of Maine, by employing an animal husbandry expert, and suitable assistance, and paying such expenses in connection therewith as the commissioner may approve.'

Approved March 12, 1917.

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## **Chapter 19.**

**Resolve to Provide for the Appointment of a Commission to Perfect Plans for the Celebration of Maine's Centennial and the Three Hundredth Anniversary of the Landing of the Pilgrims.**

**State centennial and 300th anniversary of landing of Pilgrims.** Resolved: That the governor be empowered to appoint five citizens to act as a board of commissioners, whose duty it shall be to perfect arrangements for the proper observance of the one hundredth anniversary of the admission of Maine to the Union and the three hundredth anniversary of the landing of the Pilgrims, said commission to commence its labors on January first, nineteen hundred eighteen, and continue until the close of the year nineteen hundred twenty and to serve without pay.

Approved March 15, 1917.

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## **Chapter 20.**

**Resolve, in Favor of Alfred Yankauer for Information Furnished the Attorney General Regarding Certain Estates Liable to Inheritance Tax.**

**Alfred Yankauer.** Resolved: That the sum of one hundred fifty dollars be, and the same hereby is, appropriated for, and that said sum be paid to, Alfred Yankauer in full settlement of all claims for services rendered by him to the State of Maine, and reporting to the attorney general information relative to certain estates in connection with the collection of inheritance taxes.

Approved March 15, 1917.

## Chapter 21.

Resolve, in Favor of the Maine School for Deaf for Maintenance and Repairs.

**Maine School for Deaf.** Resolved: That there be, and hereby is, appropriated for the Maine School for the Deaf the sum of thirty-one thousand three hundred and forty-four dollars for nineteen seventeen, also the sum of thirty-one thousand eight hundred and sixty-two dollars and thirty cents for nineteen hundred and eighteen, for maintenance, and an extra appropriation of three thousand five hundred dollars for repairs.

Approved March 15, 1917.

## Chapter 22.

Resolve, in Favor of Peter W. Ranco, Representative of the Penobscot Tribe of Indians.

**Peter W. Ranco.** Resolved: That the sum of one hundred and sixty-eight dollars be, and is hereby, appropriated to be paid to Peter W. Ranco, representative of the Penobscot tribe of Indians, for travel and attendance at the session of the seventy-eighth legislature.

Approved March 15, 1917.

## Chapter 23.

Resolve, in Favor of the Several State Normal Schools and the Madawaska Training School for the Construction of New Buildings and for Permanent Repairs and Improvements.

**State Normal School and Madawaska Training School.** Resolved: That there be, and hereby is, appropriated in favor of the several state normal schools and the Madawaska Training School the sum of twenty-seven thousand dollars for the year nineteen hundred seventeen, and the sum of one hundred twelve thousand five hundred dollars for the year nineteen hundred eighteen, said sums to be expended under the direction of the board of state normal school trustees to the amount and for the purposes as indicated for each school in the following schedule.

### For the Year Nineteen Hundred Seventeen

<b>Farmington State Normal School, Farmington.</b> Repairs and permanent improvements, five hundred dollars	\$ 500 00
<b>Western State Normal School, Gorham,</b> Repairs and permanent improvements, five hundred dollars	500 00
<b>Washington State Normal School, Machias.</b> Repairs on O'Brien House, five hundred dollars	500 00

<b>Eastern State Normal School</b> , Castine. Repairs and permanent improvements, five hundred dollars	500 00
<b>Aroostook State Normal School</b> , Presque Isle. New school building, twenty thousand dollars	20,000 00
<b>Aroostook State Normal School</b> , Presque Isle. Repairs and permanent improvements, five hundred dollars	500 00
<b>Madawaska Training School</b> , Fort Kent. Finishing and furnishing boys' dormitory, four thousand dollars	4,000 00
<b>Madawaska Training School</b> , Fort Kent. Repairs and permanent improvements, five hundred dollars	500 00

**For the Year Nineteen Hundred Eighteen**

<b>Farmington State Normal School</b> , Farmington. New dormitory, twenty thousand dollars	20,000 00
<b>Farmington State Normal School</b> , Farmington. Repairs and permanent improvements, five hundred dollars	500 00
<b>Western State Normal School</b> , Gorham. Repairs and permanent improvements, five hundred dollars	500 00
<b>Western State Normal School</b> , Gorham. Addition to recitation building, twenty thousand dollars	20,000 00
<b>Washington State Normal School</b> , Machias. Addition to main building, twenty thousand dollars	20,000 00
<b>Washington State Normal School</b> , Machias. Repairs and permanent improvements, five hundred dollars	500 00
<b>Eastern State Normal School</b> , Castine. Gymnasium, twenty thousand dollars	20,000 00
<b>Eastern State Normal School</b> , Castine. Repairs and permanent improvements, five hundred dollars	500 00
<b>Aroostook State Normal School</b> , Presque Isle. New school building, thirty thousand dollars	30,000 00
<b>Madawaska Training School</b> , Fort Kent. Repairs and permanent improvements, five hundred dollars	500 00

## Chapter 24.

Resolve, Providing an Increased Teacher's Pension for John F. Moody.

**John F. Moody of Hebron.** Resolved: That there be allowed and paid out of the appropriation for payment of teachers' pensions, to John F. Moody of Hebron, in the county of Oxford, the sum of two hundred and fifty dollars per annum, during the lifetime of said Moody, the same to be in lieu of the teachers' pension now allowed by law to Mr. Moody.

Approved March 15, 1917.

## Chapter 25.

Resolve in favor of the Town of Mechanic Falls for the Payment of Additional State School Funds for the Year Nineteen Hundred Fifteen.

**Town of Mechanic Falls.** Resolved: That there be, and hereby is, appropriated out of state school funds in favor of the town of Mechanic Falls the sum of four hundred ten dollars and sixty cents, such amount being due said town out of state school funds for the year nineteen hundred fifteen and not received because of an error in the census returns of said town for that year.

Approved March 15, 1917.

## Chapter 26.

Resolve, in Favor of the Bath Military and Naval Orphan Asylum, for Maintenance and Other Purposes, for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen.

**Bath Military and Naval Orphan Asylum.** Resolved: That there be, and hereby is, appropriated for the Bath Military and Naval Orphan Asylum:

	1917	1918
<b>For personal services,</b> namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment, for the year nineteen hundred seventeen, the sum of three thousand seven hundred and twenty-five dollars, and for the year nineteen hundred eighteen, the sum of three thousand seven hundred and twenty-five dollars.	\$3,725 00	\$3,725 00
<b>For food supplies,</b> namely, all articles of food, for the year nineteen hundred seventeen, the sum of four thousand five hundred dollars, and for the year nineteen hundred eighteen, the sum of four thousand five hundred dollars.	4,500 00	4,500 00



1917

1918

**For clothing,** namely, all articles of personal clothing and materials for making the same, for the year nineteen hundred seventeen, the sum of one thousand one hundred and seventy-five dollars, and for the year nineteen hundred eighteen, the sum of one thousand one hundred and seventy-five dollars.

1,175 00      1,175 00

**For repairs and equipment,** namely, all materials and supplies required for upkeep of grounds, buildings and attached fixtures; all additions to and repairs and replacements of furniture and equipment, including farm equipment and livestock, and all personal services rendered wholly in connection with repair work, for the year nineteen hundred seventeen, the sum of five hundred dollars, and for the year nineteen hundred eighteen, the sum of two thousand five hundred dollars.

500 00      2,500 00

**For general expenses,** namely, all other materials, supplies and expenses incident to maintenance of the institution and the inmates thereof, whether present or absent, for the year nineteen hundred seventeen, the sum of two thousand eight hundred and twenty-five dollars, and for the year nineteen hundred eighteen, the sum of two thousand eight hundred and twenty-five dollars.

2,825 00      2,825 00

**Provided,** that any balance of the sums above appropriated for the year nineteen hundred seventeen which may remain unexpended at the end of the year shall be available for expenditure during the year nineteen hundred eighteen, and provided further, that the governor and council may, by order, upon recommendation of the trustees of said institution, authorize the use of unexpended balances of any of the above appropriations to meet deficiencies in other appropriations for such institution.

Approved March 16, 1917.

## Chapter 27.

Resolve, Providing for a Commission to Investigate the Advisability of Making Improvements in Portland Harbor.

**Commission created to investigate condition of Portland Harbor. Resolved: Sec. 1.** That the governor, with the advice and consent of the council, be, and he hereby is, authorized and directed to appoint a commission consisting of five persons, to investigate the condition of Portland harbor, and report to the next session of the legislature its recommendations rela-

**CHAP. 28**

tive to the advisability of the state, or the city of Portland, constructing and building into the tide waters of said harbor, a state or municipal dock; and such further legislation respecting the control thereof, as said commission may deem necessary and advisable for the public interests.

**Sec. 2. Commission to serve without pay.** The members of the commission hereby created, shall serve without compensation.

**Sec. 3. Survey not to be made unless so directed.** Said commission shall not make, nor cause to be made, any survey of the navigable waters of said Harbor, unless, upon application to the governor and council, the latter shall determine that the surveys made by the United States, are not sufficient for the purposes herein contemplated, and give directions for such further surveys to be made.

Approved March 16, 1917.

## Chapter 28.

**Resolve in Favor of the Board of Dental Examiners, for Equipment, Printing and Postage.**

**Board of Dental Examiners.** Resolved: That there be appropriated in favor of the board of dental examiners the sum of three hundred dollars, for the year nineteen hundred seventeen, for the purchase of twelve operating tables, a steel cabinet for the secretary's files, printing and postage.

Approved March 16, 1917.

## Chapter 29.

**Resolve, Appropriating Money for Expenses of the Electoral College.**

**Electoral college.** Resolved: That there be appropriated the sum of three hundred seventy-five dollars, to defray the expenses of the electoral college of nineteen hundred and seventeen.

Approved March 16, 1917.

## Chapter 30.

**Resolve, Proposing an Amendment to the Constitution of the State of Maine Relative to the Tenure of the Office of Sheriff.**

**Constitutional amendment relative to tenure of sheriff.** Resolved: Two-thirds of the legislature concurring, that the following amendment to the constitution of the State of Maine be proposed:

Section ten of article nine of the constitution is hereby amended by striking out all that part of said section ten after the word "election" in the fourth line of said section as printed with the revised statutes of nineteen hundred and sixteen, and inserting in the place thereof the following: 'unless sooner removed as hereinafter provided. Whenever the governor and coun-

cil upon complaint, due notice and hearing shall find that a sheriff is not faithfully or efficiently performing any duty imposed upon him by law, the governor may remove such sheriff from office and with the advice and consent of the council appoint another sheriff in his place for the remainder of the term for which such removed sheriff was elected. All vacancies in the office of sheriff, other than those caused by removal in the manner aforesaid, shall be filled in the same manner as is provided in the case of judges and registers of probate,' so that said section as amended shall read as follows:

'Section 10. Sheriffs shall be elected by the people of their respective counties, by a plurality of the votes given in on the second Monday of September, and shall hold their office for two years from the first day of January next after their election, unless sooner removed as hereinafter provided.

Whenever the governor and council upon complaint, due notice and hearing shall find that a sheriff is not faithfully or efficiently performing any duty imposed upon him by law, the governor may remove such sheriff from office and with the advice and consent of the council appoint another sheriff in his place for the remainder of the term for which such removed sheriff was elected. All vacancies in the office of sheriff, other than those caused by removal in the manner aforesaid shall be filled in the same manner as is provided in the case of judges and registers of probate.'

**Date of vote.** Resolved, that the aldermen of cities, the selectmen of towns, and the assessors of the several plantations in this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, on the second Monday in September following the passage of this resolve, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: "Shall the constitution be amended as proposed by a resolution of the legislature granting to the governor, by the consent and advice of the council, the power to remove sheriffs who do not faithfully and efficiently perform the duties imposed upon them by law, and to appoint another sheriff in his place for the remainder of the term for which such removed sheriff was elected?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment expressing it by the word "Yes" upon their ballots and those opposed to the amendment by the word "No" upon their ballots, and the ballots shall be received, sorted, counted, and declared in open ward, town and plantation meetings, and returns made to the office of secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the same shall thereupon become a part of the constitution, and the governor shall forthwith make known the fact by his proclamation.

**Notification of municipalities.** Resolved, that the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and

**CHAP. 31**

blank returns in conformity with the foregoing resolves accompanied by a copy thereof.

Approved March 19, 1917.

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**Chapter 31.**

**Resolve, Reimbursing the Town of Chester for Expenses on Account of a State Pauper.**

**Town of Chester.** Resolved: That the sum of twenty-eight dollars be, and hereby is, appropriated to be paid to the town of Chester, to reimburse said town for money expended for the burial of Frank Le Briton, a state pauper.

Approved March 19, 1917.

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**Chapter 32.**

**Resolve, Reimbursing the City of Auburn for Money Expended for the Support of Certain State Paupers.**

**City of Auburn.** Resolved: That the sum of seven hundred eighty-six dollars and eighty-two cents be, and hereby is, appropriated to be paid to the city of Auburn, to reimburse said city for the amount expended for the support of Joseph Dulac and George J. Schlag, state paupers.

Approved March 19, 1917.

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**Chapter 33.**

**Resolve, Reimbursing the Town of Wilton for Money Expended for the Support of Certain State Paupers.**

**Town of Wilton.** Resolved: That the sum of twelve hundred and ninety-five dollars be, and hereby is, appropriated for the purpose of reimbursing the town of Wilton for the money expended on account of Audubon S. Wilson and family, state paupers; and that the state treasurer be, and hereby is, authorized to pay and deliver said sum of twelve hundred and ninety-five dollars to the treasurer of said town of Wilton.

Approved March 19, 1917.

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**Chapter 34.**

**Resolve, Making an Appropriation for the Purpose of Public Instruction in Forestry.**

**Public instruction in forestry.** Resolved: That the sum of five thousand dollars be, and hereby is, appropriated for the year nineteen hundred and seventeen, and the sum of five thousand dollars for the year nineteen hundred and eighteen, for the purpose of public instruction in forestry; said fund to be administered by the same board of commissioners and in the same manner as heretofore (revised statutes, chapter eight, section sixty-six), except that if a state forester be appointed he shall take the place of the forest commissioner on this board.

Approved March 22, 1917.

## Chapter 35.

Resolve, in Favor of Ida E. Heath of Chelsea.

**Ida E. Heath.** Resolved: That there be, and hereby is, appropriated, to be paid to Ida E. Heath of Chelsea, Maine, widow of Orrin E. Heath of Chelsea, deceased, the sum of one thousand dollars; five hundred dollars payable in the year nineteen hundred seventeen, and five hundred dollars payable in the year nineteen hundred eighteen, as compensation for the death of her husband, killed November eighth, nineteen hundred sixteen, while working on state aid road in the town of Chelsea.

Approved March 22, 1917.

## Chapter 36.

Resolve, Authorizing the Governor and Council to Accept Picture or Oil Painting of General Charles W. Tilden, to Hang in the Rotunda of the State House.

**Acceptance of oil painting of General Charles W. Tilden to be hung in rotunda of State House.** Whereas, At the annual reunion of the sixteenth Maine Regimental Association, held in Portland in nineteen hundred and fifteen, it was voted to procure an oil painting of the commander of the regiment during the Civil War, the late General Charles W. Tilden of Hallowell, for presentation to the State of Maine, free of cost, provided the state would accept the same and cause it to be hung in the rotunda of the state house; and

Whereas, The surviving members of the sixteenth Maine Regiment, in presenting this portrait of their beloved commander, are actuated by a desire to express their love and esteem for one of the ablest, bravest and most patriotic officers who went out from Maine to serve them, on marches, in battles, in hunger and thirst, and in dangers of all kinds during the Civil War; and

Whereas, It is fitting that General Tilden's eminent military career should receive public recognition, and that the State of Maine should honor his memory by causing his portrait to be placed in its Hall of Fame by the side of portraits of other men who have served the state with honor; and

Whereas, General Tilden was commissioned First Lieutenant of Company B, 2nd Maine Regiment, on April twenty-seven, eighteen hundred sixty-one, and was promoted to captain of that company June twenty-fourth, eighteen hundred sixty-one; he took part with his regiment in the first battle of Bull Run on July twenty-first, eighteen hundred sixty-one, in the Peninsular campaign and in the Seven Days' battles near Richmond in the spring of eighteen hundred sixty-two. At the formation of the sixteenth Maine Regiment in eighteen hundred sixty-two Captain Tilden was commissioned its lieutenant-colonel on June twenty-third, eighteen hundred sixty-two, and with this regiment his subsequent military career was closely identified.

During the military activities that followed, he had command of the regiment in the battles of Fredericksburg, Chancellorsville, Gettysburg, Wilderness, Spottsylvania, Laurel Hill, North Anna River, Tolapotomy, Cold Har-

**CHAP. 36**

bor, Petersburg, Weldon Railroad, Thatcher's Run, White Oak Road, Five Forks and Appomattox. At Fredericksburg the regiment lost more than half of the number of men engaged. At Gettysburg on the first day it was ordered to hold back the whole force of the Confederates at any cost, while the remainder of the corps fell back to Cemetery Ridge. This duty was well performed, but at a fearful cost; only thirty-eight remaining out of two hundred and eighty-seven that went into battle. Every line and staff officer was either killed or captured and the flags were torn into small pieces to save them from capture.

General Tilden was captured and confined in Libby Prison for eight months. In February, eighteen hundred sixty-four, he escaped by crawling through the famous "Rose Tunnel" and came back to his regiment in March of that year. He was again captured on August nineteenth, eighteen hundred sixty-four, at the battle of Weldon Railroad, but on the next day, while being taken from Petersburg to Richmond, he leaped from the railroad track, rolled down an embankment twenty feet high and the next morning came into the Union lines in front of his own brigade.

On January eight, eighteen hundred sixty-three, he was commissioned colonel and was breveted brigadier-general in March, eighteen hundred sixty-five. In February, eighteen hundred sixty-five, he commanded the 3rd Brigade, 2nd Division, of the 5th Army Corps. When General Lee surrendered at Appomattox, General Tilden turned to his officers with great emotion and said: "For four years I have fought, endured and suffered for this consummation; now I am satisfied."

After the war General Tilden returned to Castine, his native town, and remained there fourteen years. He then removed to Hallowell, where his death occurred on March fourteenth, nineteen hundred fourteen. General Tilden was a representative to the legislature from Castine soon after the war; was secretary of the Maine senate for ten years; and was also inspector general of the National Guard under two administrations. He was buried at Castine; and

Whereas, There has passed into the Shadow of the Beyond, the beloved companion, the noble patriot and soldier, the honored citizen, the man whose life was so full of lofty aspirations, so full of worthy deeds that at every stage of his earthly journey in every calling or vocation in which he was engaged, no worthier example could be presented for emulation in his day or generation; be it therefore

Resolved, That the governor and council be, and hereby are, authorized and directed, in the name of the people of the State of Maine to accept said painting from the said 16th Maine Regimental Association; to cause the same to be hung in the rotunda of the state house and to provide for a public presentation thereof at such date as may be agreed upon by said association and the governor and council.

Approved March 22, 1917.

## Chapter 37.

**Resolve, in Favor of an Appropriation to Complete the Historical Records of Maine Men Serving in the United States Navy during the War for the Suppression of the Rebellion.**

**Historical records of Maine men serving in navy during civil war.** Resolved: That the sum of one thousand dollars for the year nineteen hundred and seventeen is hereby appropriated, to be expended under the direction of the governor and council, to continue the work of compiling the historical records of residents of the State of Maine who had service in the United States Navy during the war for the suppression of the Rebellion, eighteen hundred and sixty-one to eighteen hundred and sixty-five. Any portion of the appropriation remaining unexpended on December thirty-one, nineteen hundred and seventeen shall be carried forward and be available for expenditures in the year nineteen hundred and eighteen.

Approved March 22, 1917.

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## Chapter 38.

**Resolve, for Extra Pay to the Maine Volunteers in the War with Spain.**

**Spanish war volunteers.** Resolved: That the sums of sixty-six dollars for the year nineteen hundred and seventeen and sixty-six dollars for the year nineteen hundred and eighteen, be and are, hereby appropriated for extra pay for the Maine Volunteers in war with Spain.

Approved March 22, 1917.

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## Chapter 39.

**Resolve, to Provide for a Survey by the Commissioner of Sea and Shore Fisheries of Areas Suitable for the Propagation of Clams, and to Provide Seed for such Propagation.**

**Propagation of clams.** Resolved: That the commissioner of sea and shore fisheries is hereby authorized and directed to investigate and determine what areas or localities are, in his opinion, suitable and available for the propagation of clams, to furnish clam seed at cost to such individuals as avail themselves of sections fifty-three to fifty-eight inclusive of chapter forty-five of the revised statutes, and to make a biological survey of such areas. And that there be, and hereby is, appropriated the sum of one thousand dollars for nineteen hundred and seventeen, and one thousand dollars for nineteen hundred and eighteen, for the purposes of this resolve.

Approved March 22, 1917.

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## Chapter 40.

**Resolve, Appropriating Money for the State Forest Nursery and to Encourage Reforesting in Maine.**

**State Forest Nursery.** Resolved: That the sum of two thousand dollars be, and hereby is, appropriated for the year nineteen hundred and seventeen, and the sum of two thousand dollars for the year nineteen hundred

**CHAP. 41**

and eighteen, to be expended by the forest commissioner or state forester, for the maintenance of the state forest nursery, in connection with the department of forestry at Orono, to supply forest tree seedlings and transplants at cost of production for use in planting waste lands in Maine.

Approved March 22, 1917.

## Chapter 41.

**Resolve, for the Appointment of Delegates to the Conferences of the National Tax Association, and Providing for Payment of the Expenses of such Delegates.**

**Delegates to conference of National Tax Association.** Resolved: That the governor, by and with the consent of the council, be and hereby is, authorized and empowered to appoint not more than three delegates to represent the State of Maine at any conferences of the National Tax Association which may be held during the years nineteen hundred and seventeen and nineteen hundred eighteen. Such delegates shall serve without compensation, but their actual expenses as allowed by the governor and council.

That there be, and hereby is, appropriated for the above purpose the sum of four hundred dollars for nineteen hundred seventeen, and four hundred dollars for nineteen hundred eighteen; said sums, or as much as may be necessary, to be expended by the governor and council for the actual expenses of said delegates.

Approved March 22, 1917.

## Chapter 42.

**Resolve, in Favor of the Maine State Prison for Maintenance and Current Expenses.**

**Maine State Prison.** Resolved: That there be, and hereby is, appropriated for the Maine State Prison, for the year nineteen hundred and seventeen, the sum of thirty-seven thousand, five hundred and fifty dollars, for the purposes hereinafter specified, namely:

### For the Following Items Fixed By Law:

Salaries of subordinate officers, twenty-one thousand seven hundred dollars,	\$21,700 00
Schools, fifty dollars,	50 00
Books, fifty dollars,	50 00
Medicine, one hundred and fifty dollars,	150 00
Water supply, two thousand two hundred dollars,	2,200 00
Printing and binding reports, two hundred dollars,	200 00
Criminal insane, two hundred dollars,	200 00
Retiring and pensioning prison officials, two thousand six hundred dollars,	2,600 00



**For Other Purposes, Namely:**

For sacred concerts, one hundred dollars,	100 00
For chaplain for Catholic inmates, three hundred dollars,	300 00
For all other supplies, materials, services and expenses properly incident to the care of the inmates of said state prison not otherwise specifically appropriated for, ten thousand dollars,	10,000 00

**Provided**, that any balances of the foregoing appropriation which remain unexpended at the end of the year nineteen hundred seventeen shall be available for expenditure during nineteen hundred eighteen.

And be it further resolved, that there be, and hereby is, appropriated for said Maine state prison for the year nineteen hundred eighteen, the further sum of thirty-seven thousand five hundred and fifty dollars for the same purposes as hereinbefore specified for the year nineteen hundred seventeen.

Approved March 22, 1917.

## Chapter 43.

**Resolve, Authorizing the Treasurer and County Commissioners of York County to Procure a Loan and Issue Bonds of said County therefor for the Purpose of Erecting Additions to the Court House.**

**Treasurer and county commissioners of York county authorized to procure temporary loan.** Resolved: That the treasurer of the county of York be authorized to procure by loan on the faith and responsibility of said county of York, a sum not exceeding twenty thousand dollars, exclusive of and in addition to the loans authorized by statute for the purpose of erecting necessary additions to the York county court house, and furnishing the same. And the treasurer is hereby authorized to issue bonds of said county, with interest coupons attached to the amount of said loan, said bonds to bear interest, payable semi-annually at a rate not exceeding four and one-half per centum per annum, the principal to be payable at such times, not later than ten years from the date thereof as the county commissioners of York county may fix, said bonds to be signed by the treasurer and countersigned by the county commissioners of said county, and said bonds not to be of larger denominations than five hundred dollars each.

Approved March 22, 1917.

## Chapter 44.

**Resolve for Laying the County Taxes for the Year Nineteen Hundred Seventeen.**

**County taxes for 1917.** Whereas, the appropriations called for in this resolve are immediately necessary for the preservation of the public health and safety, and in the opinion of this legislature constitute an emergency as contemplated by the constitution, be it therefore

**CHAP. 45**

Resolved: That the sum annexed to the counties in the following schedule is hereby granted as a tax on each county respectively to be appropriated, assessed, collected and applied to the purpose of paying the debts and necessary expenses of the same and for other purpose of law, for the year nineteen hundred seventeen:

<b>Androscoggin</b> , eighty thousand dollars	\$ 80,000 00
<b>Aroostook</b> , sixty-four thousand, six hundred twenty-four dollars	64,624 00
<b>Cumberland</b> , one hundred fifty-six thousand, six hundred forty-five dollars	156,645 00
<b>Franklin</b> , twenty-two thousand seventy-five dollars	22,075 00
<b>Hancock</b> , twenty-eight thousand four hundred twenty dollars	28,420 00
<b>Kennebec</b> , sixty-three thousand two hundred seventy-five dollars	63,275 00
<b>Knox</b> , twenty-four thousand dollars	24,000 00
<b>Lincoln</b> , fourteen thousand dollars	14,000 00
<b>Oxford</b> , forty thousand dollars	40,000 00
<b>Penobscot</b> , one hundred eight thousand four hundred ninety dollars	108,490 00
<b>Piscataquis</b> , twenty-three thousand dollars	23,000 00
<b>Sagadahoc</b> , twenty-four thousand two hundred dollars	24,200 00
<b>Somerset</b> , thirty-nine thousand two hundred dollars	39,200 00
<b>Waldo</b> , eighteen thousand dollars	18,000 00
<b>Washington</b> , fifty thousand dollars	50,000 00
<b>York</b> , forty-five thousand dollars	45,000 00

**Emergency.** In view of the emergency cited in the preamble of this resolve, this resolve shall take effect when approved.

Approved March 23, 1917.

## Chapter 45.

**Resolve, Appropriating Money for Necessary Repairs on the State Armory at Portland.**

**State armory at Portland.** Resolved: That the sum of one thousand five hundred dollars for the year nineteen hundred seventeen be, and hereby is, appropriated for the purpose of making necessary repairs on the state armory at Portland.

Approved March 28, 1917.

## Chapter 46.

**Resolve, for the Purpose of Operating the Fish Hatcheries and Feeding Stations for Fish, for the Protection of Fish, Game and Birds, and for Printing the Report of the Commissioners of Inland Fisheries and Game, and Other Expenses Incident to the Administration of the Department of Inland Fisheries and Game.**

**Inland Fisheries and Game.** Resolved: That the sum of one hundred thousand dollars be, and hereby is, appropriated for the year nineteen hundred seventeen, and also one hundred thousand dollars for the year nineteen hundred eighteen, to be expended by the commissioners of inland fisheries and game, under the direction of the governor and council, for the purpose of operating the fish hatcheries and feeding stations for fish in the state, for the protection of fish, game and birds, for printing the report of the commissioners of inland fisheries and game, for maintenance of the state museum, payment of bounties on bob cats killed in this state and other expenses incident to the administration of the department of inland fisheries and game.

Provided, also, that the commissioners of inland fisheries and game may purchase or lease real estate in the name of the state for the purpose of maintaining fish hatcheries and feeding stations and erecting the same for fish culture, and may also assist in maintaining fish hatcheries for fish culture owned and under the management of fish and game associations; provided, also that the commissioners shall make a detailed statement in their report of all expenditures of money expended under this resolve.

Approved March 26, 1917.

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## Chapter 47.

**Resolve, in Favor of the University of Maine, for the Purpose of Refunding a Certain Unnegotiable Registered Bond of the State of Maine.**

**University of Maine, refunding bond.** Resolved: That for the purpose of refunding and paying an unnegotiable registered bond of the State of Maine for the sum of one hundred thousand dollars bearing interest at the rate of four per cent per annum issued to the Maine State College of Agriculture and the Mechanic Arts as provided in chapter one hundred and five of the resolves of the State of Maine of eighteen hundred and eighty-seven, the treasurer of the state be, and hereby is, authorized and directed to issue to the University of Maine an unnegotiable registered bond for the sum of one hundred thousand dollars bearing interest at the rate of four per cent per annum payable semi-annually on the first days of January and July of each year at the treasurer's office; said bonds shall be payable in thirty years from the first day of July in the year of our Lord one thousand nine hundred and seventeen and shall be signed by the treasurer, countersigned by the governor and attested by the state auditor; and the state treasurer and his successors in office shall pay to the treasurer of said college the interest on said bond until its maturity.

Approved March 26, 1917.

## Chapter 48.

Resolve, Making an Appropriation for the Purchase of Steel Lockers for National Guard Armories.

**Steel lockers for national guard armories.** Resolved: That the sum of five thousand dollars for the year nineteen hundred seventeen and five thousand dollars for the year nineteen hundred eighteen be, and hereby is, appropriated for the purchase of steel lockers for the armories of the national guard.

Approved March 26, 1917.

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## Chapter 49.

Resolve, in Favor of the Trustees of Juvenile Institutions for Per Diem and Expenses for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen.

**Trustees of juvenile institutions.** Resolved: That there be, and hereby is, appropriated for the per diem and expenses of the trustees of juvenile institutions, as provided by chapter one hundred seventeen, revised statutes, for the year nineteen hundred seventeen, the sum of one thousand two hundred dollars, and for the year nineteen hundred eighteen, the sum of one thousand two hundred dollars.

Approved March 26, 1917.

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## Chapter 50.

Resolve, in Favor of the State Hospitals for Maintenance and Other Purposes for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen.

**State Hospitals.** Resolved, That there be, and hereby is, appropriated:

### For the Augusta State Hospital

	1917	1918
<b>For personal services,</b> namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment, for the year nineteen hundred seventeen, the sum of ninety-five thousand dollars, and for the year nineteen hundred eighteen, the sum of ninety-seven thousand dollars,	\$95,000 00	\$97,000 00
<b>For food supplies, namely, all articles of food,</b> for the year nineteen hundred seventeen, the sum of one hundred and eleven thousand dollars, and for the year nineteen hundred eighteen, the sum of one hundred and seventeen thousand dollars,	111,000 00	117,000 00

	1917	1918
<b>For clothing</b> , namely, all articles of personal clothing and materials for making the same, for the year nineteen hundred seventeen, the sum of thirteen thousand dollars, and for the year nineteen hundred eighteen, the sum of thirteen thousand dollars,	13,000 00	13,000 00
<b>For repairs and equipment</b> , namely, all materials and supplies required for upkeep of grounds, buildings and attached fixtures; all additions to and repairs and replacements of furniture and equipment, including farm equipment and livestock, and all personal services rendered wholly in connection with repair work, for the year nineteen hundred seventeen, the sum of thirty-five thousand one hundred twenty-three dollars, and for the year nineteen hundred eighteen, the sum of thirty-six thousand two hundred and sixty dollars,	35,123 00	36,260 00
<b>For general expenses</b> , namely, all other materials, supplies and expenses incident to maintenance of the institution and the patients thereof, whether present or absent, for the year nineteen hundred seventeen, the sum of sixty-one thousand one hundred and ten dollars, and for the year nineteen hundred eighteen, the sum of sixty thousand four hundred and forty-two dollars,	61,110 00	60,442 00
<b>For interest on Helen A. Gilman legacy</b> , for the year nineteen hundred seventeen, the sum of fifty dollars, and for the year nineteen hundred eighteen, the sum of fifty dollars,	50 00	50 00
<b>For interest on the Joseph H. Williams legacy</b> , for the year nineteen hundred seventeen, the sum of forty dollars, and for the year nineteen hundred eighteen, the sum of forty dollars,	40 00	40 00
<b>For interest on the Robie Amusement fund</b> , for the year nineteen hundred seventeen, the sum of one hundred and forty dollars, and for the year nineteen hundred eighteen, the sum of one hundred and forty dollars.	140 00	140 00
<b>For new construction</b> ; psychopathic building designed and equipped especially for the reception and treatment of new cases with accommodations for two hundred patients, for the year nineteen hundred seventeen, the		

## CHAP. 50

	1917	1918
sum of twenty-five thousand dollars, and for the year nineteen hundred eighteen, the sum of seventy-five thousand dollars,	25,000 00	75,000 00
<b>For the Bangor State Hospital.</b>		
<b>For personal services</b> , namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment, for the year nineteen hun- dred seventeen, the sum of sixty-eight thousand six hundred and forty-nine dollars and fifty-three cents, and for the year nine- teen hundred eighteen, the sum of sixty- eight thousand eight hundred and forty-nine dollars and fifty-three cents,	68,649 53	68,849 53
<b>For food supplies</b> , namely, all articles of food, for the year nineteen hundred seventeen, the sum of sixty-eight thousand and twenty- two dollars and eighty-one cents, and for the year nineteen hundred eighteen, the sum of sixty-eight thousand and twenty- two dollars and eighty-one cents,	68,022 81	68,022 81
<b>For clothing</b> , namely, all articles of personal clothing and materials for making the same, for the year nineteen hundred seventeen, the sum of three thousand six hundred and nineteen dollars and twenty-seven cents, and for the year nineteen hundred eighteen, the sum of three thousand six hundred and nineteen dollars and twenty-seven cents,	3,619 27	3,619 27
<b>For repairs and equipment</b> , namely, all materials and supplies required for upkeep of grounds, buildings and attached fixtures; all addi- tions to and repairs and replacements of furniture and equipment, including farm equipment and livestock, and all personal services rendered wholly in connection with repair work, for the year nineteen hundred seventeen, the sum of twenty-three thou- sand dollars, and for the year nineteen hundred eighteen, the sum of twenty-three thousand dollars,	23,000 00	23,000 00
<b>For general expenses</b> , namely, all other ma- terials, supplies and expenses incident to maintenance of the institution and the pa- tients thereof, whether present or absent, for the year nineteen hundred seventeen, the sum of forty-three thousand and eight dol-		

REFORMATORY FOR WOMEN.

751

CHAP. 51

1917

1918

lars and thirty-nine cents, and for the year nineteen hundred and eighteen, the sum of forty-three thousand and eight dollars and thirty-nine cents,

\$43,008 39 \$43,008 39

**For interest on the Robie Amusement fund,** for the year nineteen hundred seventeen, the sum of one hundred and forty dollars, and for the year nineteen hundred eighteen, the sum of one hundred and forty dollars,

140 00 140 00

**For changing over heating system,** for the year nineteen hundred seventeen, the sum of six thousand dollars,

6,000 00

**For sleeping rooms, night nurses,** for the year nineteen hundred seventeen, the sum of two thousand five hundred dollars,

2,500 00

**Provided,** that any balance of the sums above appropriated for the year nineteen hundred seventeen which may remain unexpended at the end of the year shall be available for expenditure during the year nineteen hundred eighteen, and provided further, that the governor and council may, by order, upon recommendation of the trustees of the said institutions, authorize the use of unexpended balances of any of the above appropriations to meet deficiencies in other appropriations for the same institution.

Approved March 28, 1917.

## Chapter 51.

Resolve, in Favor of the Reformatory for Women for Maintenance and Other Purposes for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen.

**Reformatory for Women.** Resolved: That there be, and hereby is, appropriated:

### For the Reformatory for Women

1917

1918

**For personal services,** namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment, for the year nineteen hundred seventeen, the sum of four thousand seven hundred and sixty dollars, and for the year nineteen hundred eighteen the sum of six thousand seven hundred and eighty dollars,

\$4,760 00 \$6,780 00

## CHAP. 51

	1917	1918
<b>For food supplies</b> , namely, all articles of food, for the year nineteen hundred seventeen, the sum of one thousand two hundred and ninety dollars, and for the year nineteen hundred eighteen, the sum of two thousand thirty dollars,	1,290 00	2,030 00
<b>For clothing</b> , namely, all articles of personal clothing, and materials for making the same for the year nineteen hundred seventeen, the sum of four hundred and thirty dollars, and for the year nineteen hundred eighteen, the sum of nine hundred and seventy-five dollars,	430 00	975 00
<b>For repairs and equipment</b> , namely, all materials and supplies required for upkeep of grounds, buildings and attached fixtures; all additions to and repairs and replacements of furniture and equipment, including farm equipment and live stock, and all personal services rendered wholly in connection with repair work, for the year nineteen hundred seventeen, the sum of nine hundred and fifty dollars, and for the year nineteen hundred eighteen, the sum of nine hundred and fifty dollars,	950 00	950 00
<b>For general expenses</b> , namely, all other materials, supplies and expenses incident to maintenance of the institution and the inmates thereof, whether present or absent, for the year nineteen hundred seventeen, the sum of six thousand five dollars, and for the year nineteen hundred eighteen, the sum of four thousand three hundred and ninety dollars,	6,005 00	4,390 00

**Provided**, that any balance of the sums above appropriated for the year nineteen hundred seventeen which may remain unexpended at the end of the year shall be available for expenditure during the year nineteen hundred eighteen, and provided further that the governor and council may, by order, upon recommendation of the trustees of the said institution, authorize the use of unexpended balances of any of the above appropriations to meet deficiencies in other appropriations for such institution.

Approved March 28, 1917.



## Chapter 52.

**Resolve, in Favor of Certain Private Charitable and Benevolent Institutions for the Care, Support and Education of Indigent Persons and for Other Purposes.**

**Charitable and benevolent institutions.** Resolved: That there be appropriated for the year nineteen hundred seventeen, the sum of one hundred twenty-nine thousand five hundred dollars and for the year nineteen hundred eighteen, the sum of one hundred twenty-nine thousand five hundred dollars, for the purposes and the institutions specified below, namely:

**For the Care, Support and Education of Dependent Children in or by the Following Institutions or Organizations:**

	1917	1918
<b>Children's Aid Society, Belfast.</b> One thousand six hundred dollars for each year	\$ 1,600 00	\$ 1,600 00
<b>Children's Heart Work Society, Portland.</b> Seven hundred fifty dollars, for each year	750 00	750 00
<b>Children's Protective Society, Portland.</b> Eight hundred dollars, for each year	800 00	800 00
<b>Eastern Maine Orphan's Home, Bangor.</b> One thousand dollars, for each year	1,000 00	1,000 00
<b>Girl's Orphanage, Lewiston.</b> Two thousand five hundred dollars, for each year	2,500 00	2,500 00
<b>Good Samaritan Association, Bangor.</b> Two thousand five hundred dollars, for each year	2,500 00	2,500 00
<b>Healy Asylum, Lewiston.</b> Four thousand five hundred dollars, for each year	4,500 00	4,500 00
<b>Lewiston and Auburn Children's Home, Lewiston.</b> Seven hundred fifty dollars for each year	750 00	750 00
<b>Maine Children's Home Society, Augusta.</b> Fifteen hundred dollars for each year	1,500 00	1,500 00
<b>Maine Home for Friendless Boys, Portland.</b> One thousand five hundred dollars for each year	1,500 00	1,500 00
<b>St. Elizabeth's Roman Catholic Orphan Asylum, Portland.</b> Two thousand five hundred dollars for each year	2,500 00	2,500 00

## CHAP. 52

	1917	1918
<b>Temporary Home for Women and Children, Portland.</b> Two thousand five hundred dollars for each year	2,500 00	2,500 00
<b>W. C. T. U. Temporary Home, Gardiner.</b> Seven hundred fifty dollars for each year	750 00	750 00
<b>York County Children's Aid Society, Saco.</b> Seven hundred fifty dollars for each year	750 00	750 00
<b>Holy Innocents' Home for Infants, Portland.</b> Two thousand dollars for each year	2,000 00	2,000 00
<b>For the Care, Support and Medical or Surgical Treatment of Indigent Persons by Certain Hospitals, namely:</b>		
<b>Augusta General Hospital, Augusta.</b> Six thousand five hundred dollars for each year	6,500 00	6,500 00
<b>Bar Harbor Medical and Surgical Hospital, Bar Harbor.</b> Two thousand dollars for each year	2,000 00	2,000 00
<b>Bath City Hospital, Bath.</b> Two thousand two hundred and fifty dollars for each year	2,250 00	2,250 00
<b>Central Maine General Hospital, Lewiston.</b> Eight thousand dollars for each year	8,000 00	8,000 00
<b>Children's Hospital, Portland.</b> Twenty-seven thousand five hundred dollars for each year	27,500 00	27,500 00
<b>Daughters of Wisdom, St. Agatha.</b> Five hundred dollars for each year	500 00	500 00
<b>Eastern Maine General Hospital, Bangor.</b> Eight thousand dollars for each year	8,000 00	8,000 00
<b>Hospital of the Young Men's Christian Association, Greenville.</b> One thousand two hundred dollars for each year	1,200 00	1,200 00
<b>Knox County General Hospital, Rockland.</b> One thousand five hundred dollars for each year	1,500 00	1,500 00

	1917	1918
<b>Madigan Memorial Hospital, Houlton.</b> One thousand dollars for each year	1,000 00	1,000 00
<b>Maine Eye and Ear Infirmary, Portland.</b> Three thousand five hundred dollars for each year	3,500 00	3,500 00
<b>Maine General Hospital, Portland.</b> Seven thousand five hundred dollars for each year	7,500 00	7,500 00
<b>Northern Maine General Hospital, Eagle Lake.</b> Two thousand dollars for each year	2,000 00	2,000 00
<b>Presque Isle General Hospital, Presque Isle.</b> Seven hundred fifty dollars for each year	750 00	750 00
<b>Rumford Hospital, Rumford.</b> Seven hundred fifty dollars for each year	750 00	750 00
<b>St. Mary's General Hospital, Lewiston.</b> Eight thousand dollars for each year	8,000 00	8,000 00
<b>Somerset Hospital, Skowhegan.</b> Five hundred dollars for each year	500 00	500 00
<b>Waldo County General Hospital, Belfast.</b> One thousand dollars for each year	1,000 00	1,000 00
<b>Webber Hospital, Biddeford.</b> Four thousand seven hundred fifty dollars for each year	4,750 00	4,750 00
<b>York Hospital, York.</b> One thousand two hundred dollars for each year	1,200 00	1,200 00
<b>Old Town Hospital.</b> One thousand dollars for each year	1,000 00	1,000 00
<b>For Education of the Adult Blind in Order that they May Become Self-Supporting:</b>		
<b>Maine Institute for the Blind, Portland.</b> Fourteen thousand dollars for each year	14,000 00	14,000 00
<b>For Care and Support of Indigent Deaf Persons:</b>		
<b>Maine Mission for the Deaf, Bangor.</b> Two hundred dollars for each year	200 00	200 00

**For the Purpose of Maintaining a Home and Reading Room for Working Women:**

	1917	1918
<b>Women's Christian Association, Lewiston.</b> One thousand dollars for each year	\$1,000 00	\$1,000 00

**Provided** that no part or any of the foregoing appropriations shall be paid to the institutions named until the state board of charities and corrections shall have certified to the state auditor that the following conditions have been complied with, namely:

That the prices charged by the institution to the general public who are able to pay shall be not less than the average cost of the kind of service rendered.

That in the case of the following named institutions, the management shall have secured subscriptions or satisfactory guarantee of subscriptions from municipal appropriations or private benevolence to be used for the same purposes as the state appropriation amounting to not less than twenty-five per cent thereof, namely:

Bath City Hospital, Bath.

Hospital of the Young Men's Christian Association, Greenville.

Presque Isle General Hospital, Presque Isle.

Rumford Hospital, Rumford.

Somerset Hospital, Skowhegan.

Waldo County General Hospital, Belfast.

That in the case of the **Maine Institution for the Blind**, the board of directors shall be so reorganized as to provide for not less than six nor more than ten directors, one-half of whom shall be appointed by the governor with the advice and consent of the council for overlapping terms. Such appointment shall be non-partisan.

That none of the officers, or employees of any charitable institution, organization, or association who receives a salary, either directly or indirectly, shall be a member of the board of managers, trustees or directors.

Approved March 28, 1917.

## Chapter 53.

**Resolve, in Favor of the State Juvenile Institutions, for Maintenance and Other Purposes, for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen.**

**State juvenile correctional institutions.** Resolved: That there be, and hereby is, appropriated,

**For the State School for Boys**

	1917	1918
<b>For personal services</b> , namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment, for the year nineteen hun-		

1917

1918

dred seventeen, the sum of fourteen thousand three hundred and sixty-seven dollars and fourteen cents, and for the year nineteen hundred eighteen, the sum of fourteen thousand three hundred and sixty-seven dollars and fourteen cents.

\$14,367 14 \$14,367 14

**For food supplies**, namely, all articles of food, for the year nineteen hundred seventeen, the sum of fifteen thousand one hundred and twenty-nine dollars and eighty-seven cents, and for the year nineteen hundred eighteen, the sum of fifteen thousand one hundred and twenty-nine dollars and eighty-seven cents.

15,129 87 15,129 87

**For clothing**, namely, all articles of personal clothing and materials for making the same, for the year nineteen hundred seventeen, the sum of two thousand seven hundred and twenty dollars and eighty-four cents, and for the year nineteen hundred eighteen, the sum of two thousand seven hundred and twenty dollars and eighty-four cents.

2,720 84 2,720 84

**For repairs and equipment**, namely, all materials and supplies required for upkeep of grounds, buildings and attached fixtures; all additions to and repairs and replacements of furniture and equipment, including farm equipment and livestock, and all personal services rendered wholly in connection with repair work, for the year nineteen hundred seventeen, the sum of three thousand dollars and for the year nineteen hundred eighteen, the sum of three thousand dollars.

3,000 00 3,000 00

**For general expenses**, namely, all other materials, supplies and expenses incident to maintenance of the institution and the patients thereof, whether present or absent, for the year nineteen hundred seventeen, the sum of twenty-four thousand seven hundred and eighty-two dollars and fifteen cents, and for the year nineteen hundred eighteen, the sum of twenty-four thousand seven hundred and eighty-two dollars and fifteen cents.

24,782 15 24,782 15

**For Interest on the Isaac Sanford legacy**, for the year nineteen hundred seventeen, the sum of forty-two dollars, and for the year nineteen hundred eighteen, the sum of forty-two dollars.

42 00 42 00

	1917	1918
<b>For the State School for Girls</b>		
<b>For personal services</b> , namely, for salaries and wages of all officers and employees except those wholly engaged in repairs of buildings and equipment, for the year nineteen hundred seventeen, the sum of nine thousand six hundred and sixty-five dollars, and for the year nineteen hundred eighteen, the sum of ten thousand three hundred and forty dollars.	9,665 00	10,340 00
<b>For food supplies</b> , namely, all articles of food, for the year nineteen hundred seventeen, the sum of twelve thousand three hundred and thirty dollars, and for the year nineteen hundred and eighteen, the sum of thirteen thousand one hundred and thirty dollars.	12,330 00	13,130 00
<b>For clothing</b> , namely, all articles of personal clothing and materials for making the same, for the year nineteen hundred and seventeen, the sum of three thousand five hundred dollars, and for the year nineteen hundred eighteen, the sum of three thousand seven hundred dollars.	3,500 00	3,700 00
<b>For repairs and equipment</b> , namely, all materials and supplies required for upkeep of grounds, buildings and attached fixtures; all additions to and repairs and replacements of furniture and equipment, including farm equipment and livestock, and all personal services rendered wholly in connection with repair work, for the year nineteen hundred and seventeen, the sum of three thousand nine hundred dollars, and for the year nineteen hundred eighteen, the sum of three thousand three hundred and twenty-five dollars.	3,900 00	3,325 00
<b>For general expenses</b> , namely, all other materials, supplies and expenses incident to maintenance of the institution and the inmates thereof, whether present or absent, for the year nineteen hundred and seventeen, the sum of eight thousand nine hundred and forty-five dollars and ninety-six cents, and for the year nineteen hundred and eighteen, the sum of seven thousand eight hundred and forty-five dollars and ninety-six cents.	8,945 96	7,845 96

	1917	1918
<b>For interest on the Nellie F. Shaw trust fund,</b> for the year nineteen hundred and seven- teen, the sum of two hundred and thirty- seven dollars and fifty cents, and for the year nineteen hundred eighteen, the sum of two hundred and thirty-seven dollars and fifty cents.	237 50	237 50
<b>For interest on the Eliza Mustard trust fund,</b> for the year nineteen hundred and seventeen, the sum of one hundred and ninety-five dollars and sixty-three cents, and for the year nineteen hundred and eighteen, the sum of one hundred and ninety-five dollars and sixty-three cents.	195 63	195 63
<b>For interest on the Peter Lane fund,</b> for the year nineteen hundred and seventeen, the sum of fifty-seven dollars and eighty-three cents, and for the year nineteen hundred and eighteen, the sum of fifty-seven dollars and eighty-three cents.	57 83	57 83
<b>For interest on the Augustus Hopkins trust fund,</b> for the year nineteen hundred and seven- teen, the sum of fifty dollars, and for the year nineteen hundred and eighteen, the sum of fifty dollars.	50 00	50 00
<b>For construction of new water system,</b> for the year nineteen hundred and seventeen, the sum of two thousand dollars.	2,000 00	
<b>For construction of new central building,</b> for the year nineteen hundred and seventeen, the sum of twenty thousand dollars, and for the year nineteen hundred and eighteen, the sum of forty thousand dollars.	20,000 00	40,000 00

**Provided,** that any balance of the sums above appropriated for the year nineteen hundred and seventeen which may remain unexpended at the end of the year shall be available for expenditure during the year nineteen hundred and eighteen, and provided further, that the governor and council may, by order, upon recommendation of the trustees of the said institutions, authorize the use of unexpended balances of any of the above appropriations to meet deficiencies in other appropriations for the same institutions.

Approved March 28, 1917.

## Chapter 54.

Resolve, Reimbursing Samuel N. Packard for the Loss of Two Cattle.

**Samuel N. Packard.** Resolved: That the sum of one hundred fifty dollars be paid to Samuel N. Packard of Newburgh for the loss of two cattle afflicted with tuberculosis and that the live stock sanitary commissioner is hereby authorized and directed to pay the same from the appropriation "For prevention of contagious disease among horses and cattle."

Approved March 28, 1917.

## Chapter 55.

Resolve, Proposing an Amendment to the Constitution of the State of Maine Empowering the Legislature to Authorize Towns to Divide into Voting Districts for Purposes of Holding Elections.

**Constitutional amendment—division of towns.** Resolved: Two-thirds of both branches of the legislature concurring, that the following amendment to the constitution of the State of Maine be proposed:

Section sixteen of article nine is hereby amended by striking out all of said section and substituting in place thereof the following:

'Section 16. The legislature may by law authorize the dividing of towns into voting districts for all state and national elections, and prescribe the manner in which the vote shall be received, counted, and the result of the election declared.'

**Date of vote.** Resolved, that the aldermen of cities, the selectmen of towns, and the assessors of the several plantations in this state, are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, on the second Monday in September following the passage of this resolve, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: "Shall the constitution be amended as proposed by a resolution of the legislature granting to the legislature power to authorize the division of towns into more than one election district for the purpose of holding state and national elections?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment expressing it by the word "Yes" upon their ballots and those opposed to the amendment by the word "No" upon their ballots, and the ballots shall be received, sorted, counted and declared in open ward, town and plantation meetings, and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature; and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, the same shall thereupon become a part of the constitution, and the governor shall forthwith make known the fact by his proclamation.

**Notification of municipalities.** Resolved: That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots



**CHAP. 56**

and blank returns in conformity with the foregoing resolves accompanied by a copy thereof.

Approved March 29, 1917.

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## **Chapter 56.**

**Resolve, Reimbursing the Town of Orneville for Expenses Incurred in the Care and Nursing of a State Pauper.**

**Town of Orneville.** Resolved: That there be, and hereby is, appropriated the sum of forty-nine dollars to be paid to the town of Orneville, in the county of Piscataquis, to reimburse said town for its expenses incurred in the care, nursing and medical attendance of one Fred Spencer, a state pauper.

Approved March 29, 1917.

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## **Chapter 57.**

**Resolve, Providing for the Completion of the Book of Plans of Waldo County and Appropriating Money Therefor.**

**Book of plans of Waldo county.** Resolved: That the state land agent be, and hereby is, instructed to cause the book of plans for Waldo county to be completed by adding to the plans already in said book such plans in the Massachusetts archives as have not already been copied, and by having all copies certified by the secretary of state for Massachusetts, after which said book shall be forwarded to the register of deeds for said county of Waldo, and the sum of two hundred and fifty dollars, or such part of that sum as may be necessary, hereby is appropriated to pay the expense of such completion.

Approved March 29, 1917.

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## **Chapter 58.**

**Resolve, Appropriating Money for the Expenses of the State Board of Charities and Corrections for the Years Nineteen Hundred Seventeen and Nineteen Hundred Eighteen.**

**Expenses of State Board of Charities and Corrections.** Resolved: That there be, and hereby is, appropriated the sum of eight thousand dollars for the year nineteen hundred and seventeen, to pay the expenses of the members of the state board of charities and corrections, the salaries and traveling expenses of its secretary and agents, for office supplies and equipment, postage, printing and all other expenses properly incident to the work which the board is by law required to perform; and that any balance of this appropriation remaining unexpended at the end of that year shall be available for expenditure during the year nineteen hundred and eighteen and be it further

Resolved: That there be, and hereby is, appropriated the further sum of eight thousand dollars for the year nineteen hundred and eighteen, to be used for like purposes.

**CHAP. 59**

Provided that amounts herein appropriated shall be in lieu of any funds provided for the work of said board by the provisions of chapter one hundred forty-seven of the revised statutes.

Approved March 29, 1917.

## Chapter 59.

Resolve, in Favor of Ernest E. Graffam of Poland.

**Ernest E. Graffam of Poland.** Resolved: That there be paid to Ernest E. Graffam of Poland in the county of Androscoggin, on account of injuries received while employed in the construction of a state aid highway, the sum of three hundred dollars annually during the pleasure of the legislature. Said sum shall be paid in equal quarterly payments from and after the taking effect of this resolve.

Approved March 30, 1917.

## Chapter 60.

Resolve, for Laying the County Taxes for the Year Nineteen Hundred Eighteen.

**County taxes for 1918.** Resolved: That the sum annexed to the counties in the following schedule is hereby granted as a tax on each county respectively to be appropriated, assessed, collected and applied to the purpose of paying the debts and necessary expenses of the same and for other purposes of law, for the year nineteen hundred eighteen.

<b>Androscoggin</b> , eighty thousand dollars,	\$80,000 00
<b>Aroostook</b> , sixty-four thousand, six hundred twenty-four dollars,	64,624 00
<b>Cumberland</b> , one hundred fifty-six thousand, six hundred forty-five dollars,	156,645 00
<b>Franklin</b> , twenty-two thousand seventy-five dollars,	22,075 00
<b>Hancock</b> , twenty-eight thousand four hundred twenty dollars,	28,420 00
<b>Kennebec</b> , sixty-three thousand two hundred seventy-five dollars,	63,275 00
<b>Knox</b> , twenty-four thousand dollars,	24,000 00
<b>Lincoln</b> , fourteen thousand dollars,	14,000 00
<b>Oxford</b> , forty thousand dollars,	40,000 00
<b>Penobscot</b> , one hundred eight thousand four hundred ninety dollars,	108,490 00
<b>Piscataquis</b> , twenty-three thousand dollars,	23,000 00
<b>Sagadahoc</b> , twenty-four thousand two hundred dollars,	24,200 00
<b>Somerset</b> , thirty-nine thousand two hundred dollars,	39,200 00
<b>Waldo</b> , eighteen thousand dollars,	18,000 00
<b>Washington</b> , fifty thousand dollars,	50,000 00
<b>York</b> , forty-five thousand dollars,	45,000 00

Approved March 30, 1917.

## Chapter 61.

**Resolve, Reimbursing the Town of Presque Isle for Money Expended on Account of a Certain Pauper.**

**Town of Presque Isle.** Resolved: That there be, and hereby is, appropriated the sum of two hundred and three dollars and five cents for the purpose of reimbursing the town of Presque Isle for money paid out on account of expenses of the last sickness and death of one Thomas Milligan, a pauper.

Approved March 30, 1917.

## Chapter 62.

**Resolve for the Payment of Expenses of Last Sickness and Burial of Allan Shenneck, formerly a Private, Company L, Maine Infantry, N. G. S. M.**

**Last sickness and burial of Allan Shenneck.** Resolved: That there be, and hereby is, appropriated, the sum of one hundred twenty-one dollars to be paid to the persons and for the amounts hereinbelow named, upon their presenting to the treasurer of state, receipted bills as follows:

Dunn Furniture Co., Houlton, Me., for casket, embalming,	
clothing and hearse hire, seventy-seven dollars	\$77 00
A. G. Walker, M. D., Houlton, Maine, seventeen dollars	17 00
Aroostook Hospital, twelve dollars	12 00
W. B. Gibson, Houlton, nine dollars	9 00
F. W. Mann, Houlton, six dollars	6 00

Approved March 30, 1917.

## Chapter 63.

**Resolve, Authorizing the Treasurer of State to Reissue Matured State Highway Bonds.**

**Reissuance of matured highway bonds.** Resolved: That the serial coupon bonds issued under the provisions of chapter one hundred thirty, public laws of nineteen hundred and thirteen and designated as the state highway loan which have matured or shall mature prior to December first, nineteen hundred and eighteen and have been or shall be paid and retired, be reissued and the treasurer of state be, and hereby is, authorized and directed under the direction of the governor and council to issue from time to time serial coupon bonds in the name and in behalf of the state not exceeding in amount the state highway loan bonds which have been or shall be by payment or otherwise retired prior to the first day of December, nineteen hundred and eighteen. Such reissue of bonds shall be in accordance with the provisions and limitations of chapter twenty-five of the revised statutes, and such bonds and the proceeds thereof shall be designated as part of the state highway loan and shall be deemed a pledge of the faith and credit of the state.

Approved March 30, 1917.

## Chapter 64.

Resolve, in Favor of the Trull Hospital Aid Association for the Care, Support, Medical or Surgical Treatment of Indigent Persons.

**Trull Hospital for treatment of indigent persons.** Resolved: That there be appropriated for the Trull Hospital Aid Association for the care, support, medical or surgical treatment of indigent persons for the year nineteen hundred seventeen, the sum of five hundred dollars, and for the year nineteen hundred eighteen, the sum of five hundred dollars.

Provided: That no part of the foregoing appropriation shall be paid until the state board of charities and corrections shall have certified to the state auditor that the following conditions have been complied with, namely,

That the prices charged by the association to the general public who are able to pay are not less than the average cost of kind of service rendered.

That none of the officers or employees of the association who receive a salary, either directly or indirectly, shall be members of the board of managers, trustees, or directors.

Approved March 30, 1917.

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## Chapter 65.

Resolve, Appropriating Money for the Protection of Trees and Shrubs from the Ravages of Dangerous Insects and Diseases.

**Protection of trees and shrubs.** Whereas, the gipsy moths have been declared by law to be public nuisances, and their suppression and the prevention of their spread in this state, and the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases, require the constant work now being carried on under the direction of the commissioner of agriculture, and the interruption of said work until ninety days after the recess of this legislature would be harmful to the public health, and

Whereas, by reason of the foregoing facts this measure is immediately necessary for the preservation of the public health, and an emergency as contemplated by the constitution exists, now, therefore, be it

Resolved, that for the purpose of carrying into effect all provisions of the law now in force, or as the same may be amended and added to, relative to the protection of trees and shrubs from the introduction and ravages of dangerous insects and diseases, there be, and hereby is, appropriated out of any moneys in the treasury the sum of thirty-five thousand dollars for the year one thousand nine hundred seventeen, and the sum of thirty-five thousand dollars for the year one thousand nine hundred eighteen.

**Emergency.** In view of the emergency cited in the preamble this resolve shall take effect when approved by the governor.

Approved March 30, 1917.

## Chapter 66.

**Resolve, Appropriating Money for the Repair of Teacher's Old Home, on Old Town Indian Island No. 1.**

**Teacher's Old Home, Indian Island.** Resolved: That there be, and hereby is, appropriated the sum of two thousand four hundred and twenty-five dollars for the repair and furnishing of the building known as Teacher's Old Home on Old Town Indian Island No. 1; said sum to be expended under the direction of the teachers on Indian Island.

Approved March 31, 1917.

## Chapter 67.

**Resolve, in Favor of the Reformatory for Women for Permanent Improvement of the Grounds and other Purposes for the Year Nineteen Hundred Seventeen.**

**Reformatory for Women.** Resolved: That there be, and hereby is, appropriated, for the Reformatory for Women:

<b>For grading, building roads and walks, and otherwise permanently improving the grounds of said institution, for the year nineteen hundred seventeen, the sum of one thousand five hundred dollars.</b>	<b>\$1,500 00</b>
<b>For furnishing and equipping the unfinished cottage now under construction, for the year nineteen hundred seventeen, the sum of two thousand dollars.</b>	<b>2,000 00</b>
<b>For the completion of the construction of said cottage for the year nineteen hundred seventeen, the sum of two thousand dollars.</b>	<b>2,000 00</b>

**Provided,** that any balance of the sums above appropriated for the year nineteen hundred seventeen which may remain unexpended at the end of the year shall be available for expenditure during the year nineteen hundred eighteen, and provided further, that the governor and council may, by order, upon recommendation of the trustees of the said institution, authorize the use of unexpended balances of any of the above appropriations to meet deficiencies in other appropriations for such institution.

Approved March 31, 1917.

## Chapter 68.

**Resolve in Favor of the University of Maine for Maintenance and for the Construction of New Buildings.**

**University of Maine; maintenance and construction of new buildings.** Resolved: That there be, and hereby is, appropriated in favor of the University of Maine at Orono the sum of one hundred twenty-seven thousand five hundred dollars for the year nineteen hundred seventeen, and the sum of one hundred twenty-seven thousand five hundred dollars for the year

**CHAP. 69**

nineteen hundred eighteen, for maintenance, and the sum of ten thousand dollars for the year nineteen hundred seventeen, and thirty-five thousand dollars for the year nineteen hundred eighteen, for the construction of new buildings, said sums to be expended under the direction of the board of trustees of the University of Maine and in accordance with the following schedule:

**For the year nineteen hundred seventeen.**

<b>Maintenance</b> , one hundred twenty-seven thousand five hundred dollars,	\$127,500 00
<b>New dairy building</b> , ten thousand dollars	10,000 00

**For the year nineteen hundred eighteen.**

<b>Maintenance</b> , one hundred twenty-seven thousand five hundred dollars,	127,500 00
<b>New dairy building</b> , fifteen thousand dollars,	15,000 00
<b>New administration building</b> , twenty thousand dollars,	20,000 00

And be it further resolved, that the committee on education recommends an increase in tuition in all courses except agriculture and domestic science and that a limited number of scholarships be established.

Approved March 31, 1917.

## Chapter 69.

**Resolve in Aid of Navigation on Various Lakes, Rivers and Thoroughfares in the State of Maine.**

**Navigation on lakes and thoroughfares.** Resolved: That the sum of thirty-six hundred dollars be, and hereby is, appropriated for the following purposes; to wit: the placing of buoys, the erections of lights and the maintenance of same in the inland waters of the state of Maine as hereinafter set forth together with that part of said thirty-six hundred dollars which shall be expended for the years of nineteen hundred and seventeen and nineteen hundred and eighteen for the purposes above enumerated in each locality as hereinafter stated.

Said buoys and lights shall be placed at such points in said localities as will best serve the needs of navigation thereon and all said moneys shall be expended under the supervision of the state steamboat inspectors and they shall be paid the same as provided in section sixteen of chapter fifty-nine of the revised statutes, and any part of the money hereby appropriated for the placing of said buoys and erection and maintenance of said lights which shall be unexpended at the end of the year nineteen hundred and eighteen shall revert back to the state.

**In Moosehead lake**, The sum of seven hundred dollars for the year nineteen hundred and seventeen and the sum of six hundred for the year of nineteen hundred and eighteen.

\$1,300 00

<b>In Sebago lake, Songo river, Bay of Naples, Chutes river and Long lake in Cumberland county,</b> The sum of four hundred dollars for the year of nineteen hundred and seventeen and the sum of four hundred dollars for the year of nineteen hundred and eighteen.	800 00
<b>In Rangeley lake, Mooselucmeguntic lake, and Cupsuptic lake,</b> The sum of three hundred and fifty dollars for the year of nineteen hundred and seventeen and the sum of three hundred and fifty dollars for the year of nineteen hundred and eighteen.	700 00
<b>In North Twin lake, North Twin thoroughfare, South Twin lake, South Twin thoroughfare, Pamedumcook lake, Pamedumcook thoroughfare, Ambejejis lake, and Ambejejis thoroughfare,</b> The sum of two hundred dollars for the year of nineteen hundred seventeen and the sum of two hundred dollars for the year of nineteen hundred and eighteen,	400 00
<b>In Sebec lake,</b> The sum of one hundred dollars for the year of nineteen hundred and seventeen and the sum of one hundred dollars for the year of nineteen hundred and eighteen,	200 00
<b>In Lewys, Long and Big lakes in Washington county,</b> The sum of fifty dollars for the year of nineteen hundred seventeen and the sum of fifty dollars for the year of nineteen hundred and eighteen,	100 00
<b>In the narrows between Upper and Lower Richardson lakes,</b> The sum of fifty dollars for the year of nineteen hundred and seventeen and the sum of fifty dollars for the year of nineteen hundred and eighteen,	100 00

Approved April 3, 1917.

## Chapter 70.

Resolve, Making an Appropriation for the Maine Seed Improvement Association.

**Maine Seed Improvement Association.** Resolved: That there be, and hereby is, appropriated the sum of one thousand dollars for the year nineteen hundred seventeen, and the sum of one thousand dollars for the year nineteen hundred eighteen, to be paid to the Maine Seed Improvement Association; this amount to be used by the said association for the purpose of promoting seed and crop improvement in the state of Maine, by holding an annual exhibition and meeting, at which premiums shall be paid upon seed, agricultural crops and products, and for the holding of field meetings, and for such other purposes as may be considered advisable and profitable by the executive committee of the association, and for the payment of all expenses incurred in carrying out the purpose of this resolve. An itemized ac-

**CHAP. 71**

count of all money expended shall be rendered each year to the commissioner of agriculture and upon his approval and presentation of proper vouchers said appropriation shall be paid.

Approved April 3, 1917.

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## **Chapter 71.**

**Resolve, Making Appropriation to Support the Bureau of Horticulture.**

**Bureau of Horticulture.** Resolved: That for the purpose of carrying into effect all provisions of the law now in force, or as the same may be amended, and added to, relative to the bureau of horticulture, there be, and hereby is, appropriated out of any moneys in the treasury the sum of five thousand dollars for the year one thousand nine hundred seventeen and the sum of five thousand dollars for the year one thousand nine hundred eighteen.

Approved April 3, 1917.

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## **Chapter 72.**

**Resolve, Making an Appropriation for Co-operative Agricultural Work between the College of Agriculture of the University of Maine and the United States Department of Agriculture.**

**Co-operative agricultural work.** Resolved: That there be, and hereby is, appropriated to be paid to the University of Maine for co-operative agricultural work between its College of Agriculture and the United States Department of Agriculture, as such work is defined in an act of the congress of the United States, approved May eighth, nineteen hundred fourteen, entitled "An Act to provide for co-operative agricultural work between the agricultural colleges in the several states receiving the benefits of an act of congress, approved July second, eighteen hundred sixty-two, and acts supplementary thereto, and the United States Department of Agriculture," for a fiscal year to begin July first, nineteen hundred seventeen, the sum of eleven thousand seven hundred two dollars and eight cents, and for the fiscal year beginning July first, nineteen hundred eighteen, the sum of fifteen thousand three hundred fifty-eight dollars and ninety-eight cents.

Approved April 3, 1917.

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## **Chapter 73.**

**Resolve in Favor of Anson Academy.**

**Anson Academy.** Resolved: That there be appropriated the sum of seven hundred fifty dollars, for the year nineteen hundred seventeen, and seven hundred fifty dollars for the year nineteen hundred eighteen, to be paid to the trustees of Anson Academy, for maintenance.

Approved April 3, 1917.



## Chapter 74.

Resolve in Favor of Sisters of Charity of Waterville, Maine.

**Sisters of Charity of Waterville.** Resolved: That there be appropriated the sum of five hundred dollars for the year nineteen hundred seventeen, and five hundred dollars for the year nineteen hundred eighteen, to be paid to the treasurer of the Sisters of Charity of Waterville, Maine, in said city of Waterville, for the maintenance of a hospital carried on by said Sisters of Charity, in said Waterville.

Approved April 3, 1917.

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## Chapter 75.

Resolve in Favor of Calais Hospital.

**Calais Hospital.** Resolved: That there be appropriated for the use of the Calais Hospital, Calais, Maine, the sum of five hundred dollars, for the year nineteen hundred seventeen, and five hundred dollars for the year nineteen hundred eighteen, to be expended under the direction of the governor and council.

Approved April 3, 1917.

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## Chapter 76.

Resolve Making Appropriation to Assist, Encourage and Develop the Poultry Industry in Maine.

**Development of poultry industry.** Resolved: That there be, and hereby is, appropriated the sum of one thousand dollars for the year one thousand nine hundred and seventeen, and the sum of one thousand dollars for the year one thousand nine hundred and eighteen, to promote, encourage and develop the poultry industry of the state through the medium of poultry exhibition or shows. Such appropriation shall be expended under the direction of the commissioner of agriculture in consultation with one representative of each of the five poultry associations in the state holding an annual exhibition or show. Such portion of the appropriation to be awarded each year upon the discretion of the commissioner of agriculture and representatives of these associations as above provided, the amount to be determined on the basis or the importance of the utility features, including utility laying competitions, utility breeding stock competitions, dressed poultry and egg competitions and any other features devised to promote the utility value and educational work of any poultry show. And the said commissioner is hereby authorized to employ such agents, assistants or experts as may be deemed practicable to carry out the provisions of this resolve.

Approved April 6, 1917.

## Chapter 77.

**Resolve, Making an Appropriation for the Control of Contagious Diseases among Domestic Animals.**

**Control of contagious diseases among cattle.** Resolved: That the sum of forty thousand dollars for the year nineteen hundred seventeen, and the sum of forty thousand dollars for the year nineteen hundred eighteen, be, and hereby is, appropriated to be used under the direction of the live stock sanitary commissioner for the control of contagious diseases among domestic animals.

Approved April 6, 1917.

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## Chapter 78.

**Resolve in Favor of Home for Aged Women, Belfast.**

**Home for Aged Women, Belfast.** Resolved: That there be appropriated the sum of two hundred dollars for the year nineteen hundred seventeen, and the sum of two hundred dollars for the year nineteen hundred eighteen, to be paid to the Home for Aged Women of Belfast, for maintenance.

Approved April 6, 1917.

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## Chapter 79.

**Resolve Making Appropriation for New England Fruit Show to be held in the year Nineteen Hundred Seventeen.**

**New England Fruit Show.** Resolved: That there be, and hereby is, appropriated the sum of five hundred dollars to be expended under the direction of the commissioner of agriculture for the payment of expenses of exhibiting, and premiums on, Maine grown fruit shown at the New England Fruit Show to be held in the year nineteen hundred and seventeen. Under this resolve the commissioner is authorized to use this money, or such part thereof as may seem to him to be necessary, in the purchase of Maine grown fruit for exhibition at said fruit show, in case suitable Maine grown fruit is not offered.

Approved April 6, 1917.

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## Chapter 80.

**Resolve, Making Appropriation for Support of Bureau of Weights and Measures**

**Bureau of Weights and Measures.** Resolved: That there be, and hereby is, appropriated the sum of two thousand dollars for the year nineteen hundred seventeen and the sum of two thousand dollars for the year nineteen hundred eighteen, to be expended by the commissioner of agriculture, as sealer of weights and measures, to carry out the provisions of chapter forty-eight of the revised statutes.

Approved April 6, 1917.

## Chapter 81.

Resolve in favor of Mrs. Mabel G. Sanborn of Augusta, for Money Expended in Support of Kate C. Robbins, a State Pensioner now Deceased.

**Mrs. Mabel G. Sanborn of Augusta,—reimbursement for money expended.** Resolved: That the sum of twenty-three dollars be, and hereby is, appropriated to be paid Mabel G. Sanborn of Augusta for money expended in the support of Kate C. Robbins, a state pensioner now deceased.

Approved April 6, 1917.

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## Chapter 82.

Resolve, Directing the Highway Commission to Make Surveys, Plans and Estimates for an Interstate Bridge between Kittery, Maine, and Portsmouth, New Hampshire.

**Plans and surveys for interstate bridge between Kittery and Portsmouth.** Resolved: That the state highway commission under the direction of the governor and council is hereby authorized and directed to make surveys, plans and estimates for an interstate bridge across the Piscataqua river between Kittery, Maine, and Portsmouth, New Hampshire, said commission to act in conjunction with any department or commission authorized by the state of New Hampshire, and said commission is hereby authorized to expend out of the state highway fund any amount necessary to make said surveys, plans and estimates, provided the state of New Hampshire will bear one-half of the expense of the same.

Approved April 6, 1917.

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## Chapter 83.

Resolve, for Investigating and Clearing the Title of the Settlers on Township Seventeen, Range Five, in Aroostook County.

**Clearing title of settlers; township 17, range 5, Aroostook county.** Resolved: That the land agent be, and he hereby is, instructed to inquire into the situation of the settlers on township seventeen, range five, in the county of Aroostook, who have not deeds of their farms, and if the same can be purchased at a reasonable price in the discretion of the land agent, to purchase the same and sell to the settlers for cash and the governor is authorized to draw his warrant on the state treasury to effect such purchases against any funds in the treasury not otherwise appropriated.

Approved April 6, 1917.

## Chapter 84.

Resolve, to Enable the Town of Millinocket to Raise Money for the Maintenance and Support of Sourdnehunk Road, between the Town of Millinocket and Millinocket Lake.

**Town of Millinocket—authorizing raising of money for maintenance of road.** Resolved: That the town of Millinocket be, and hereby is, authorized to raise money by loan, taxation or otherwise, to aid in the repairing and maintaining of the Sourdnehunk road between Millinocket and Millinocket lake.

Approved April 6, 1917.

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## Chapter 85.

Resolve, Continuing Unexpended Balance of Appropriation Provided by Chapter Three Hundred and Ten of the Resolves of Nineteen Hundred and Fifteen Entitled "Resolve Appropriating Money to Aid in the Construction of Sub-structure of a Highway Bridge across the St. John River between the Town of Madawaska, Maine, and the City of Edmundston, New Brunswick."

**Continuing unexpended balance for construction of international bridge.** Whereas the legislature of nineteen hundred and fifteen by chapter three hundred and ten of the resolves of that year appropriated the sum of five thousand dollars to be expended under certain conditions to aid in the construction of the substructure of a highway bridge cross the St. John river between the town of Madawaska, Maine, and the city of Edmundston, New Brunswick, and,

Whereas all of said money has not been expended, but part thereof remains in the state treasury having been transferred and credited to the state contingent fund on January first, nineteen hundred and seventeen, as provided by law, therefore be it

Resolved, that provided the conditions of said chapter three hundred and ten of the resolves of nineteen hundred and fifteen are complied with during the years nineteen hundred and seventeen and nineteen hundred and eighteen, such part of said money so unexpended shall remain in the state treasury during those years to be used for the purpose for which it was originally appropriated and shall be available for such use at any time during the years nineteen hundred and seventeen and nineteen hundred and eighteen to be expended as directed under said original resolve.

Approved April 6, 1917.

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## Chapter 86.

Resolve, to Reimburse Certain Cities and Towns for Money Expended for the Support of Dependent Families of Members of the National Guard.

**Dependent families of national guard—reimbursing certain cities and towns.** Resolved: That the following sums of money be paid to the towns herein enumerated, to wit:

<b>Town of Mexico</b> , five hundred and forty dollars and forty-three cents	\$540 43
<b>Town of Skowhegan</b> , five hundred and twenty-nine dollars and thirty-two cents	529 32
<b>Town of Albany</b> , seventy-one dollars	71 00
<b>Town of Robbinston</b> , fifty-one dollars and fifty cents	51 50
<b>Town of Oakland</b> , ninety-five dollars fifty-two cents	95 52
<b>Town of Farmington</b> , ten dollars	10 00
<b>Town of East Livermore</b> , two hundred and sixty-one dollars and seventy-two cents	261 72
<b>Town of Winslow</b> , fifteen dollars	15 00
<b>Town of Paris</b> , nine hundred seventy dollars and ninety-eight cents	970 98
<b>Town of Poland</b> , sixteen dollars	16 00
<b>Town of Rumford</b> , one thousand five hundred and forty-three dollars and sixty-three cents	1,543 63
<b>Town of Houlton</b> , eight hundred and fifteen dollars and thirty-five cents	815 35
<b>Town of Avon</b> , seventeen dollars and six cents	17 06
<b>Town of Norway</b> , three hundred ninety-three dollars and fifteen cents	393 15
<b>Town of Dexter</b> , six hundred fifty-eight dollars and sixty cents	658 60
<b>City of Eastport</b> , nine hundred forty-six dollars	946 00
<b>City of Brewer</b> , one hundred ninety-five dollars and fifty-nine cents	195 59
<b>City of Waterville</b> , seven hundred ninety-one dollars and sixty cents	791 60
<b>City of Augusta</b> , seven hundred and one dollars and fifty cents	701 50
<b>City of Bangor</b> , five thousand eight hundred fifty-two dollars and ninety-three cents	5,852 93

**CHAP. 87**

**Town of Guilford**, two hundred eighty-eight dollars and seventy-nine cents

288 79

Which sums were expended for the support of families of soldiers who were called for service in the National Guard on the Mexican border.

Approved April 6, 1917.

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## **Chapter 87.**

**Resolve, Providing an Epidemic or Emergency Fund.**

**Epidemic or emergency fund.** Resolved: That the sum of two thousand dollars for the year nineteen hundred seventeen, and two thousand dollars for the year nineteen hundred eighteen be, and hereby is, appropriated as an epidemic or emergency fund to be used, if necessary, by the state board of health with the consent of the governor and council in case of an epidemic of smallpox or other dangerous epidemic disease, or the invasion or threatened invasion of any of those diseases into the state.

Approved April 6, 1917.

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## **Chapter 88.**

**Resolve, in favor of the Co-operative Survey of the Boundary Line between the State of Maine and the State of New Hampshire.**

**Co-operative survey of boundary line between Maine and New Hampshire.** Resolved: That the governor of the state be authorized to appoint a surveyor on the part of the State of Maine who shall have power under his direction and in conjunction with a surveyor to be appointed on the part of the State of New Hampshire, to ascertain, survey and mark the dividing line between the state of Maine and the state of New Hampshire; and, in conjunction with the proper county and town officials of the counties and towns intersected by said state line, erect or cause to be erected permanent monuments at the place of intersection of any county, town or highway line with said state line, and said monuments, in addition to such words, letters and dates thereon, as may be deemed necessary, shall have the elevations above sea level indicated upon them.

**Section 2.** The sum of three thousand dollars is hereby appropriated to be used therefor on the part of the State of Maine when a like sum shall have been appropriated by the state of New Hampshire to defray its part of the expenses of said joint survey and marking.

**Section 3.** On completion of said survey, the boundary line so marked shall be and is hereby accepted as the official boundary line between the state of Maine and the state of New Hampshire.

Approved April 6, 1917.

## Chapter 89.

Resolve, in favor of Joseph H. Underwood.

**Joseph H. Underwood.** Resolved: That there be, and hereby is, appropriated the sum of one hundred dollars to be paid to Joseph H. Underwood, of Fayette, to reimburse him for certain expenses and losses incurred in obeying the orders of the live stock sanitary commissioner.

Approved April 6, 1917.

## Chapter 90.

Resolve, Appropriating Money to Aid in Repairing and Constructing Roads and Bridges and for Other Purposes.

**Repair and construction of roads and bridges, and for other purposes.** Resolved: That there be appropriated the sum of one hundred forty-four thousand three hundred two dollars and forty-one cents to aid in repairing and constructing roads and bridges and for certain other purposes, as specified below; provided, however, that any appropriation hereafter specified for construction or repair of roads in any town shall be null and void unless the town designated to receive such appropriation shall undertake that all road material, including clay, gravel, sand and rock, necessary for the improvements contemplated by this resolve, shall be furnished without expense to the state, and that each town shall assume and pay all damages whatsoever arising from the taking of land or from the change of grade, drainage or alignment deemed by the state highway commission as necessary for said improvement.

The expenditure of all sums of money shall be under the supervision of the state highway commission.

Any appropriation or part thereof not expended in the year nineteen hundred and seventeen shall be available during the year nineteen hundred and eighteen.

### Roads.

- |                                                                                                                                                                                                                                                                                                                                                                          |            |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| In Indian township, for repair of roads and bridges, four thousand dollars                                                                                                                                                                                                                                                                                               | \$4,000 00 |
| In the towns of Alexander and Princeton, to repair road over Taylor hill in Alexander, and Bonney hill in Princeton, six hundred dollars                                                                                                                                                                                                                                 | 600 00     |
| In the towns of Edgecomb and Boothbay, to rebuild the road leading from the end of Wiscasset bridge to the town line of Boothbay Harbor, sixteen thousand dollars; provided said towns of Edgecomb and Boothbay shall each appropriate five times the maximum amount which they may annually appropriate for state aid highways in accordance with section twenty-one of |            |

## CHAP. 90

chapter twenty-five of the revised statutes and pay the same into the state treasury on or before September first nineteen hundred and seventeen; and further provided that the town of Boothbay Harbor shall pay into the state treasury on or before September first nineteen hundred and seventeen, the sum of twenty-five hundred dollars; all sums to be expended for the same purpose	16,000 00
<b>In the town of Bingham</b> , for reconstruction of road across Chase's Intervale, so called, twenty-five hundred dollars; provided the state aid joint funds for nineteen hundred and sixteen and nineteen hundred and seventeen be expended for the same purpose.	2,500 00
<b>In the towns of Camden and Lincolnville</b> , to aid in repairing the turnpike road in said towns, sixteen hundred dollars; provided there be furnished by the town of Camden fourteen hundred sixty-five dollars, and by the town of Lincolnville one hundred thirty-five dollars for the same purpose.	1,600 00
<b>In the town of Ripley</b> , to repair the road leading from Upper Mainstream bridge, easterly to the town line of Dexter, one thousand dollars; provided there be furnished by the town of Ripley five hundred dollars for the same purpose	1,000 00
<b>In the town of Charlotte</b> , to repair the Mount Tom road, so called, leading from the Pembroke road to the Charlotte state aid road, six hundred dollars; provided there be furnished by the town of Charlotte four hundred dollars for the same purpose	600 00
<b>In the town of Trescott</b> , to repair roads, five hundred dollars.	500 00
<b>In the towns of Gray, New Gloucester and Pownal</b> , to repair the road leading from Gray station to Pownal station, two thousand dollars.	2,000 00
<b>In the towns of Marshfield and Whitneyville</b> , to repair the main road leading from Machias to Wesley, two thousand dollars, twelve hundred fifty dollars to be expended in Marshfield and seven hundred fifty in Whitneyville.	2,000 00
<b>In the town of Wesley</b> , to repair the state aid road, seven hundred fifty dollars.	750 00



<b>In the town of Otisfield</b> , to repair Twin Bridge road, so called, between Harrison and Norway, two thousand dollars.	2,000 00
<b>In the town of Union</b> , to repair the county road from Walcot's Corner, so called, to the town line of Warren, two thousand dollars; provided there be furnished by the town of Union six hundred dollars for the same purpose.	2,000 00
<b>The townships numbers nine and ten in Hancock county</b> to repair the main highway leading from the town of Franklin in Hancock county to the town of Cherryfield in Washington county, one thousand dollars.	1,000 00
<b>In the town of New Portland</b> , to repair the road leading from New Portland village to Kingfield village, seven hundred fifty dollars; provided there be furnished by the town of New Portland two hundred fifty dollars for the same purpose.	750 00
<b>In the town of Warren</b> , to repair the road leading from Crawford's Corner, so called, in the town of Warren to the town line of Union, two thousand dollars; provided there be furnished by the town of Warren eight hundred dollars for the same purpose.	2,000 00
<b>In township number fourteen, Washington county</b> , to repair the West Ridge road, so called, seven hundred fifty dollars, to be expended by the county commissioners of Washington county, who shall receive no compensation for supervision of said repair.	750 00
<b>In the town of Addison</b> , to repair the road leading from the town line of Columbia Falls to Hall's hill, so called, in Indian River village, five thousand dollars.	5,000 00
<b>In the town of Prentiss</b> , to repair the Danforth road, so called, one thousand dollars; provided there be furnished by the town of Prentiss five hundred dollars for the same purpose.	1,000 00
<b>In the town of Upton</b> and the plantation of Magalloway, to repair the Middle Dam Carry road, five hundred dollars.	500 00
<b>In the town of Southwest Harbor</b> , to repair that part of the road leading from Southwest Harbor to Tremont, known as Long Hill, fifteen hundred dollars; provided there be furnished by the town of Southwest Harbor fifteen hundred dollars for the same purpose.	1,500 00

## CHAP. 90

- In the town of Brooks**, to repair the road over Moulton hill, so called, six hundred dollars; provided there be furnished by the town of Brooks four hundred dollars for the same purpose 600 00
- In the town of Orland**, to repair the road leading from East Orland, so called, to the town line of Ellsworth, fifteen hundred dollars; provided there be furnished by the town of Orland four hundred dollars for the same purpose. 1,500 00
- In the town of Bucksport**, to repair the road leading from Bucksport village to the town line of Orrington, one thousand dollars provided there be furnished by the town of Bucksport five hundred dollars for the same purpose. 1,000 00
- In the town of Glenburn**, to repair the New Kenduskeag road, so called, five hundred dollars; provided there be furnished by the town of Glenburn three hundred dollars for the same purpose. 500 00
- In the town of Corinth**, to repair the main road, five hundred dollars; provided there be furnished by the town of Corinth four hundred dollars for the same purpose. 500 00
- In the town of Charleston**, to repair a part of the West County road, so called, fifteen hundred dollars; provided there be furnished by the town of Charleston five hundred dollars for the same purpose 1,500 00
- In Washington and Perkins plantations**, Franklin county, to repair the road leading from Wilton to Weld, one thousand dollars. 1,000 00
- In the town of Limington**, to repair the road leading from Ruin Corner, so called, to its junction with the Whaleback road, so called, five hundred dollars; provided there be furnished by the town of Limington five hundred dollars for the same purpose. 500 00
- In the plantations of Wallagrass and New Canada**, to construct a road located by the county commissioners of Aroostook county on July seventeenth, nineteen hundred sixteen, one thousand dollars; provided that the plantations of New Canada and Wallagrass shall each furnish five hundred dollars and that the county of Aroostook shall appropriate one thousand dollars, all for the same purpose; and the county commissioners of Aroostook county are authorized and required to appropriate said one thousand dollars. 1,000 00

<b>In the towns of Chesterville and New Sharon,</b> to repair the road leading from Farmington Falls to Vienna, one thousand dollars.	1,000 00
<b>In the town of Carthage,</b> to repair the road leading from Dixfield to Wilton, five hundred dollars; provided there be furnished by the town of Carthage five hundred dollars for the same purpose.	500 00
<b>In the Jerusalem and Crocker townships,</b> to repair the main road leading from the Kingfield town line to the Bigelow plantation line, one thousand dollars.	1,000 00
<b>In the plantation of Dallas, Franklin county,</b> to repair the road leading from Rangeley to Stratton, five hundred dollars.	500 00
<b>In the town of Dixfield,</b> to repair road over Towle hill, so called, five hundred dollars; provided there be furnished by the town of Dixfield five hundred dollars for the same purpose.	500 00
<b>In the town of Orneville,</b> to repair that part of the main road, leading from the Milo town line to the east line of the town of Orneville, which lies between the point where the Bangor & Aroostook railroad crosses said road and the east line of the town of Orneville, seven hundred fifty dollars.	750 00
<b>In the plantation of New Canada,</b> to build a road which shall lead from the main road of New Canada to the Caribou road, five hundred dollars; provided there be furnished by the plantation of New Canada five hundred dollars for the same purpose.	500 00
<b>In the towns of Wells, North Berwick and Berwick,</b> to repair the main road leading from Wells to the New Hampshire state line, three thousand dollars.	3,000 00
<b>In the town of Penobscot,</b> to repair that part of the road leading from Bluehill to Bucksport which lies between Wescott's hill, so called, and the northwest line of the town of Bluehill, one thousand dollars	1,000 00
<b>In the town of Jonesboro,</b> to repair the road leading from Jonesboro station on the Maine Central railroad, to Jonesboro village, seven hundred fifty dollars; provided there be appropriated by the town of Jonesboro five hundred dollars for the same purpose.	750 00

## CHAP. 90

- In the town of Unity**, to repair the road leading from Freedom village to Thorndike station, one thousand dollars; provided there be furnished by the town of Unity five hundred dollars for the same purpose. 1,000 00
- In the town of Perry**, to repair the East Bay road, so called, leading from Pembroke village through the town of Perry to the Eastport bridge, fifteen hundred dollars; provided there be furnished by the town of Perry five hundred dollars for the same purpose. 1,500 00
- In the town of Millinocket**, to repair the Sourdnehunk road, so called, leading from Millinocket to Millinocket Lake, two thousand dollars; provided there be furnished by the town of Millinocket two thousand dollars for the same purpose. 2,000 00
- In the town of Sidney**, to repair the River road, so called, leading from Augusta to Waterville, and the Middle road, so called, leading from Augusta to Oakland, one thousand dollars; provided there be furnished by the town of Sidney one thousand dollars for the same purpose. 1,000 00
- In the town of Rome**, to repair the main highway leading from Waterville to Farmington, seven hundred dollars; provided there be furnished by the town of Rome three hundred dollars for the same purpose. 700 00
- In the town of Machiasport**, to repair the Meadow Brook road, so called, leading from East Machias to Cutler, five hundred dollars; provided there be furnished by the town of Machiasport two hundred fifty dollars for the same purpose. 500 00
- In the town of Hebron**, to repair roads, five hundred dollars; provided there be furnished by the town of Hebron five hundred dollars for the same purpose. 500 00
- In the town of Etna**, to repair section number two of the state aid road leading from the trunk line through Etna Center to Dixmont, one thousand dollars; provided there be furnished by the town of Etna five hundred dollars for the same purpose. 1,000 00
- In the town of Medford**, to repair the road leading from the west line of said town easterly to Hathorn's Corner, so called, seven hundred fifty dollars. 750 00

<b>In North Yarmouth Academy Grant, township number one, range four Aroostook county,</b> to repair the main military road, one thousand dollars; provided there be appropriated by the county of Aroostook one thousand dollars for the same purpose; and the county commissioners of Aroostook county are hereby authorized to raise said one thousand dollars.	1,000 00
<b>In the towns of Franklin and Hancock,</b> to repair the road leading from Egypt post office to Franklin road station, five hundred dollars; provided there be furnished by each of the towns of Franklin and Hancock two hundred fifty dollars for the same purpose.	500 00
<b>In the town of Winn,</b> to repair the Lee road, so called, one thousand dollars; provided there be furnished by the town of Winn one thousand dollars for the same purpose.	1,000 00
<b>In the town of Newburgh,</b> to repair the road leading from the Hampden town line, across the Newburgh center road, thence across the North road, so called, to the town line of Carmel, one thousand dollars; provided there be furnished by the town of Newburgh five hundred dollars for the same purpose.	1,000 00
<b>In the town of Exeter,</b> to repair the road leading from the town line of Stetson to Exeter Corner, one thousand dollars; provided there be furnished by the town of Exeter five hundred dollars for the same purpose.	1,000 00
<b>In Hibberts Gore,</b> to repair the roads, four hundred dollars.	400 00
<b>In the town of Carmel,</b> to repair the Winterport road, so called, one thousand dollars; provided there be furnished by the town of Carmel five hundred dollars for the same purpose.	1,000 00
<b>In the town of Atkinson,</b> to repair the road leading from Atkinson Mills, so called, southerly to the town line of Charleston, eight hundred dollars.	800 00
<b>In Reed plantation,</b> to repair the military road, three thousand dollars.	3,000 00

**Bridges.**

<b>In township thirty-one, county of Washington,</b> to repair the bridges across the Machias river, Pembroke stream, Old stream and Chain Lake stream, six hundred dollars.	600 00
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## CHAP. 90

- In the city of Calais**, to repair the Ferry Point bridge, so called, across the St. Croix river, fifteen hundred dollars; provided there be furnished by the city of Calais fifteen hundred dollars for the same purpose. 1,500 00
- In the town of Trenton**, to aid in making a free bridge of the Mt. Desert toll bridge and in repairing or reconstructing the same, six thousand five hundred dollars. 6,500 00
- In the city of Gardiner and the town of Randolph**, to repair the bridge across the Kennebec river, two thousand dollars. 2,000 00
- In the town of Mattawamkeag**, to repair the covered bridge across the Mattawamkeag river, two thousand dollars. 2,000 00
- In the towns of Penobscot and Castine**, to rebuild Morse's Cove bridge, so called, five hundred dollars, provided there be furnished by each of the towns of Penobscot and Castine one hundred fifty dollars for the same purpose. 500 00
- In the town of Passadumkeag**, to repair the covered bridge across Passadumkeag stream, seven hundred fifty dollars; provided there be furnished by the town of Passadumkeag two hundred fifty dollars for the same purpose. 750 00
- In the plantation of Webster**, to build a bridge cross Mattagoodus stream, one thousand dollars; provided there be appropriated by the county of Penobscot one thousand dollars for the same purpose, and the county commissioners of Penobscot county are hereby authorized to raise said one thousand dollars. 1,000 00
- In the towns of Anson and Madison**, to repair the Patterson toll bridge, so-called, across the Kennebec river, five thousand dollars, provided however, that before the repairs shall be commenced the proprietors of said bridge shall surrender all their right, title and interest in said bridge to the county commissioners of Somerset county, and said right, title and interest in said bridge shall have been accepted by said commissioners and said commissioners shall have agreed to make said bridge a free bridge thereafter. 5,000 00

**Ferries.**

**To be paid to the county commissioners of Sagadahoc county, to aid in maintaining a ferry across Merry-meeting bay in said county, one thousand dollars; provided there be appropriated by said county one thousand dollars for the same purpose, and said ferry shall comply with the provisions of chapter twenty-seven of the revised statutes, relating to ferries, except as to maintenance by towns.**

1,000 00

**For the purpose of aiding in the construction or purchase of a new and improved ferry boat, with the necessary and convenient slips and approaches thereto, for the People's Ferry Company, a corporation created by chapter one hundred fifty-three of the private and special laws of eighteen hundred and seventy-two, operating across the Kennebec river between said city of Bath and town of Woolwich, on the line of the state highway between Portland and Rockland, the sum of thirty thousand dollars; provided that there be previously raised and actually expended by said People's Ferry Company, for the same purposes, a sum not less than thirty-five thousand dollars; and the said city of Bath and town of Woolwich are hereby severally authorized and empowered, in aid of the purposes aforesaid, and in aid of said People's Ferry Company, to severally guarantee the payment of any note, bonds or other writings obligatory of said People's Ferry Company, which may be issued by it for the purpose of raising a sum not to exceed fifty thousand dollars, for the purposes aforesaid, or to jointly guarantee such payment ratably to the respective total valuations of the taxable estates in said city and town. The said sum of thirty thousand dollars hereby appropriated, shall become available for the purposes aforesaid, and shall be paid over to said People's Ferry Company, only upon the filing with the state treasurer, by the chief engineer of the state highway commission, of a certificate of the fact that said People's Ferry Company has actually raised and expended, for the purposes aforesaid, the said sum of thirty-five thousand dollars; and said sum of thirty thousand dollars shall be paid over to said People's Ferry Company, in monthly instalments, upon successive certificates to be filed monthly by said chief engineer with the state treasurer, showing the progress of said work of construction and equipment, and the total amount actually expended therefor during the calendar month next preceding the filing of each of such successive certificates; and each of said monthly instal-**

**CHAP. 90**

ments shall be for the amount so certified by said chief engineer. The total sum so appropriated by the state, and raised by said People's Ferry Company shall be expended under the direction of a permanent commission for the operation and management of said People's Ferry Company, which commission shall be known as the People's Ferry commission, and which shall be composed of two residents of the city of Bath, to be elected by the municipal officers of said city, and one resident of the town of Woolwich, to be elected by the inhabitants thereof in regular town meeting. The terms of office of the members of said commission shall be determined by the respective bodies electing them, provided that the maximum terms of both the Bath and Woolwich members shall be of equal length. The city of Bath, through its municipal officers, or the town of Woolwich, at a legal town meeting called for that purpose, may by a majority vote transfer and convey, one to the other, by gift, sale or otherwise, all its present right, title and interest in and to the property and franchises of said People's Ferry Company, and the capital stock thereof; and if and whenever the entire ownership thereof shall be so acquired by either one of said municipalities, all the members of said People's Ferry commission shall thereafter be elected in the manner above provided, from the municipality holding such entire ownership. This resolve for the People's Ferry Company shall not take effect unless a contract or contracts for the actual construction or purchase of said ferry boat and for the construction of the slips and approaches thereto, shall have been actually and in good faith entered into and executed by said People's Ferry Company prior to July first nineteen hundred and eighteen; but upon the execution of such contract or contracts, the appropriation hereby made shall not lapse, but shall be available for and during the fiscal year of nineteen hundred and eighteen.

30,000 00

**State Highway Commission.**

**For state highway commission,** for defense of a suit at law arising from construction of a bridge, seven hundred fifty dollars.

750 00

**Claims.**

**To reimburse Murray Brothers Company of Bangor** for value of stumpage on right of way of Jackman-Rockwood road, four thousand dollars.

4,000 00



To reimburse plantation number thirty-three, county of Hancock, for over expenditure on state aid road in the year nineteen hundred and thirteen, forty-three dollars.	43 00
To reimburse the town of Frankfort on account of cost of the Lord bridge, across Marsh stream, five hundred dollars.	500 00
To reimburse the town of Harmony on account of cost of bridge across Higgins brook, five hundred fifty dollars.	550 00
To reimburse the town of Dennysville on account of cost of Wilson stream bridge, three hundred fifty dollars.	350 00
To reimburse the town of Brownville on account of cost of bridge built in nineteen hundred and fifteen and nineteen hundred and sixteen across Pleasant river, two thousand six hundred dollars.	2,600 00
State Highway L. To pay claims for labor performed for contractor on state highway L in the town of Searsport, and other claims, as follows:	
A. E. Trundy & Son, lumber	\$16 86
Joseph Staples, labor	9 00
Ralph M. Staples, labor	45 00
H. G. Pease, labor	53 79
Miles Towers, material and labor	80 00
Silas Buck, labor	26 55
Geo. A. Buck, labor	23 00
Fred L. Perkins, for board	10 50
Antonio Gudesputi, labor	22 00
Antonio Croce, groceries, etc. (order)	26 16
Clarence Sherman, labor	46 55
Amounting to three hundred fifty-nine dollars and forty-one cents.	\$359 41

Approved April 6, 1917.

## Chapter 91.

Resolve, Making An Appropriation for the Support of the Bureau of Inspection of the Department of Agriculture.

**Bureau of inspection, department of agriculture.** Resolved: That there be, and hereby is, appropriated the sum of one thousand dollars for the year nineteen hundred seventeen and the sum of one thousand dollars for the year nineteen hundred eighteen, to be expended by the commissioner of agriculture in executing the laws relating to the collection, examination, inspection and analysis of agricultural seeds, concentrated commercial feeding stuffs, commercial fertilizer, foods and drugs.

Approved April 7, 1917.

## Chapter 92.

**Resolve in Favor of Several Academies, Institutes, Seminaries and Colleges for Maintenance and for Repairs and Improvements.**

**Academies, institutes, seminaries and colleges.** Resolved: That there be, and hereby is, appropriated in favor of the academies, institutes, seminaries and colleges hereinafter listed the sum of sixteen thousand one hundred dollars for the year nineteen hundred seventeen, and the sum of fifteen thousand three hundred fifty dollars for the year nineteen hundred eighteen, said sums to be expended under the direction of the board of trustees of said institutions to the amount and for the purposes indicated in the following schedule.

### For the Year Nineteen Hundred Seventeen.

<b>Hartland Academy, Hartland,</b> For repairs on academy building, and equipment for same, one thousand dollars	1,000 00
<b>Erskine Academy, South China,</b> For repairs on school building, laboratory equipment, and instruction in course in agriculture, seven hundred fifty dollars	750 00
<b>Freedom Academy, Freedom,</b> For meeting deficiency and current expenses, and for making urgent repairs, one thousand dollars	1,000 00
<b>Monmouth Academy, Monmouth,</b> For repairing and remodeling the main school building, five hundred dollars	500 00
<b>Lee Academy, Lee,</b> For the payment of instructors, two thousand dollars	2,000 00
<b>Eastern Maine Institute, Springfield,</b> for finishing and equipping school building, seven hundred fifty dollars	750 00
<b>Eastern Maine Institute, Springfield,</b> For reimbursement under general academy law for nineteen hundred sixteen, five hundred dollars	500 00
<b>Saint Joseph's Academy, Portland,</b> For maintenance, fifteen hundred dollars	1,500 00
<b>Van Buren College, Van Buren,</b> For maintenance and equipment, one thousand dollars	1,000 00
<b>Ricker Classical Institute, Houlton,</b> For repair and improvement of buildings and fixtures, five hundred dollars	500 00

<b>North Yarmouth Academy, North Yarmouth,</b> For repair and improvement of buildings, and improvement of grounds, five hundred dollars	500 00
<b>Limington Academy, Limington,</b> For maintenance, three hundred dollars	300 00
<b>Gould's Academy, Bethel,</b> For assistance in maintaining teachers' training course, five hundred dollars	500 00
<b>Litchfield Academy, Litchfield,</b> For maintenance five hundred dollars	500 00
<b>Limerick Academy, Limerick,</b> For maintenance, three hundred dollars	300 00
<b>Nasson Institute, Springvale,</b> For maintenance and equipment, twenty-five hundred dollars	2,500 00
<b>Westbrook Seminary, Westbrook,</b> For the payment of outstanding debts, and for furnishings in Hersey Hall, one thousand dollars	1,000 00
<b>Higgins Classical Institute, Charleston,</b> For building purposes, one thousand dollars	1,000 00

**For the Year Nineteen Hundred Eighteen.**

<b>Eastern Maine Institute, Springfield,</b> For payment of instructors, five hundred dollars	500 00
<b>Hartland Academy, Hartland,</b> For repairs on academy building and equipment for same, one thousand dollars	1,000 00
<b>Erskine Academy, South China,</b> For repairs on school building, laboratory equipment, and instruction in course in agriculture, seven hundred fifty dollars	750 00
<b>Freedom Academy, Freedom,</b> For meeting deficiency and current expenses, and for making urgent repairs, one thousand dollars	1,000 00
<b>Monmouth Academy, Monmouth,</b> For repairing and remodeling the main school building, five hundred dollars	500 00
<b>Lee Academy, Lee,</b> For the payment of instructors, two thousand dollars	2,000 00

## CHAP. 93

<b>Saint Joseph's Academy, Portland,</b> For maintenance, fifteen hundred dollars	1,500 00
<b>Van Buren College, Van Buren,</b> For maintenance and equipment, one thousand dollars.	1,000 00
<b>Ricker Classical Institute, Houlton,</b> For repair and improvement of buildings and fixtures, five hundred dollars	500 00
<b>North Yarmouth Academy, North Yarmouth,</b> For repair and improvement of buildings, and improvement of grounds, five hundred dollars	500 00
<b>Limington Academy, Limington,</b> For maintenance, three hundred dollars	300 00
<b>Gould's Academy, Bethel,</b> For assistance in maintaining teachers' training course, five hundred dollars	500 00
<b>Litchfield Academy, Litchfield,</b> For maintenance, five hundred dollars	500 00
<b>Limerick Academy, Limerick,</b> For maintenance, three hundred dollars	300 00
<b>Nasson Institute, Springvale,</b> For maintenance and equipment, twenty-five hundred dollars	2,500 00
<b>Westbrook Seminary, Westbrook,</b> For the payment of outstanding debts, and for furnishings in Hersey Hall, one thousand dollars	1,000 00
<b>Higgins Classical Institute, Charleston,</b> For building purposes, one thousand dollars	1,000 00

Approved April 7, 1917.

## Chapter 93.

Resolve, in Favor of the Erection of a State Sanatorium in the County of Aroostook for the Treatment of Persons Suffering from Tuberculosis.

**State sanatorium, for erection of, in Aroostook county.** Resolved: That there be, and is hereby, appropriated, for the year nineteen hundred eighteen, the sum of twenty thousand dollars, to be expended under the direction of the board of trustees for tuberculosis sanatoriums as defined by chapter one hundred forty-six of the revised statutes, and the governor and council, in the construction, including all necessary expenses incident thereto, of a sanatorium in the county of Aroostook for the care and treatment of

## CHAP. 94

persons suffering from tuberculosis, to be known as the Northern Maine Sanatorium, and to be a part of the state system of tuberculosis sanatoriums established, maintained and governed by the terms of said chapter one hundred forty-six; provided that the citizens of Aroostook county shall first have secured and conveyed to the State of Maine a site, satisfactory to the said board of trustees for tuberculosis sanatoriums, suitable for the erection of such an institution; provided further that the building or buildings erected under the terms of this resolve shall contain suitable accommodations for patients, nurses and attendants and administration offices, and provided also that any unexpended balances of the above sum not required for construction purposes shall be available for expenditure for furniture and equipment.

Approved April 7, 1917.

## Chapter 94.

Resolve, in favor of Certain Employees of the House of Representatives.

**Certain employees of House of Representatives.** Resolved: That there be, and hereby is, appropriated, to be paid to the following persons, for services rendered the house of representatives of the seventy-eighth legislature, or its officers, the sums set against their names as follows:

<b>Marjorie Lee, of Augusta,</b> stenographer and typewriter to speaker of the house, for services from March fifth to end of session	\$75 00
<b>Andrew Cahill, of Bath,</b> assistant messenger to speaker, for services and mileage	159 00
<b>Donald Gates, of Augusta,</b> assistant messenger to speaker, for services and mileage	151 00
<b>Chaplains of the house,</b> in accordance with a list to be filed with the treasurer of state, not exceeding in amount	140 00
Amounting to a total of	<u>\$525 00</u>

Approved April 7, 1917.

## Chapter 95.

Resolve, in favor of the Official Reporter of the House for Services of Assistant Reporter, Typewriter Operator and Additional Assistance in the Preparation and Completion of the Legislative Record, including Installation and Rental of Dictating Machines.

**Assistance to official reporter of House.** Resolved: That there be, and hereby is, appropriated the sum of nine hundred and sixty-three dollars, to be paid to Cecil Clay, official reporter of the house, for services of assistant reporter and mileage, for typewriting and stenographic assistance employed by him in the preparation and completion of the legislative record, and for rental of dictating machines.

Approved April 7, 1917.

## Chapter 96.

**Resolve, Appropriating Money to Pay Ethel M. Wade, Stenographer and Typist to the Clerk of the House.**

**Ethel M. Wade.** Resolved: That the sum of four hundred and fifty dollars be, and hereby is, appropriated to be paid to Ethel M. Wade of Augusta for services as stenographer and typist to the clerk of the House for services during the session of the seventy-eighth legislature, and for services to be rendered in the preparation of the printed journal, and in the preparation of the printed index appended to said printed journal.

Approved April 7, 1917.

## Chapter 97.

**Resolve, Proposing an Amendment to Article Seven of the Constitution Relating to Military.**

**Constitutional amendment relative to military.** Resolved: Two-thirds of the legislature concurring, that article seven of the constitution be amended by striking out all of sections one, two, three, four and five of said article and substituting therefor the following sections:

Section 1. All commissioned officers of the militia shall be appointed and commissioned by the governor, from such persons as are qualified by law to hold such offices.

Section 2. The legislature shall, by law, designate the qualifications necessary for holding a commission in the militia and shall prescribe the mode of selection of officers for the several grades.

Section 3. The adjutant general shall be appointed by the governor. But the adjutant general shall also perform the duties of quartermaster general and paymaster general until otherwise directed by law.

Section 4. The organization, armament and discipline of the militia and of the military and naval units thereof shall be the same as that which is now or may hereafter be prescribed by the laws and regulations of the United States; and it shall be the duty of the governor to issue from time to time such orders and regulations and to adopt such other means of administration, as shall maintain the prescribed standard of organization, armament and discipline; and such orders, regulations and means adopted shall have the full force and effect of law.

Section 5. Persons of the denominations of Quakers and Shakers, justices of the supreme judicial court, ministers of the gospel and persons exempted by the laws of the United States may be exempted from military duty, but no other able-bodied person of the age of eighteen and under the age of forty-five years, excepting officers of the militia who have been honorably discharged, shall be so exempted unless he shall pay an equivalent to be fixed by law.

**Date of vote.** Resolved: That the aldermen of cities, the selectmen of towns, and the assessors of the several plantations in the state are hereby empowered and directed to notify the inhabitants of their respective cities,

**CHAP. 98**

towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, on the second Monday in September following the passage of this resolve, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: "Shall article seven of the constitution relating to military be amended as proposed by a resolve of the legislature?"

And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment expressing it by the word "Yes" upon their ballots and those opposed to the amendment by the word "No" upon their ballots, and the ballots shall be received, sorted, counted, and declared in open ward, town and plantation meetings, and returns made to the office of the secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, it shall thereupon become a part of the constitution, and the governor shall forthwith make known the fact by his proclamation.

**Notification of municipalities.** Resolved, That the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolve accompanied by a copy thereof.

Approved April 7, 1917.

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## **Chapter 98.**

Resolve in favor of Securing Plans for a State Library Building.

**Plans for state library building.** Resolved: That the governor of the state and four other persons, to be appointed by him, one of whom shall be an active librarian, are hereby constituted a commission to investigate the needs for a state library building and report to the next legislature.

Approved April 7, 1917.

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## **Chapter 99.**

Resolve, in Favor of Improvement of the Navigation of the Fish River Lakes in the County of Aroostook.

**Improvement of navigation on Fish River Lakes, Aroostook county.** Resolved: That the sum of five hundred dollars be appropriated to improve the navigation of the thoroughfares between Eagle lake and Long lake on the Fish river waters in the county of Aroostook provided, that there be raised and paid into the state treasury by the inhabitants benefited thereby, an equal amount, the entire sum to be expended under the direction of the governor and council. All money unexpended at the end of the year nineteen hundred and eighteen shall revert back to the state.

Approved April 7, 1917.

## Chapter 100.

**Resolve, Appropriating Money for the Erection and Equipment of a State Armory for the Use of the National Guard in the City of Bangor.**

**Preamble.** Whereas, the people of Maine find themselves in what is virtually a state of war with a foreign power, and whereas it is the duty of the State of Maine to equip herself to discharge her full obligations as a member of the United States, and

Whereas, armories for the assembling, training and drilling of troops are immediately necessary for the preservation of the public peace, health and safety, now therefore, be it resolved :

**State armory at Bangor.** Section 1. That there be, and hereby is, appropriated and that the governor and council are hereby authorized to expend from any funds in the treasury not otherwise appropriated, and in particular and especially from the fund appropriated by the present legislature for purposes of war, the sum of eighty thousand dollars in the year nineteen hundred and seventeen in the erection and equipment of an armory building in the city of Bangor for the use of the National Guard of the State of Maine in said city, provided that the city of Bangor shall furnish a lot or site for said armory building acceptable to the governor and the commission to be appointed for the building of such armory, and shall deed the same to the state upon the passage of this resolve, or when required by the commission herein provided for; said sum to be expended for the above purposes by a commission consisting of the adjutant-general, two citizens of the city of Lewiston and two citizens of the city of Bangor, to be appointed by the governor, subject, however, to the supervision and direction of the state armory commission to whom said armory shall be turned over for the benefit of the state aforesaid upon its completion and acceptance.

**Emergency.** Section 2. In view of the emergency expressed in the preamble hereof, this resolve shall take effect when approved.

Approved April 7, 1917.

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## Chapter 101.

**Resolve, Relating to Pay for National Guard and Naval Reserves of the State of Maine.**

**Pay of National Guard and Naval Reserves.** Resolved: That there shall be paid from any funds in the state treasury to each person who shall enlist and each person now enlisted in the National Guard of the State of Maine and who shall be mustered into the service of the United States on the quota of this state, not exceeding the sum of one dollar for each and every day he shall be in the service of the United States during the existence of war or during the existence of a state of war. Such sum shall be paid to such person at the expiration of his service upon cessation of the state of war; or, if such person shall have any person or persons dependent upon him for support said sum shall be paid monthly to such dependents as the soldier shall designate.

Approved April 7, 1917.



## Chapter 102.

Resolve, in Favor of Rena Cooley.

**Rena Cooley.** Resolved: That there be, and hereby is, appropriated the sum of two hundred dollars for the year nineteen hundred seventeen and the sum of two hundred dollars for the year nineteen hundred and eighteen, to be paid, in quarterly payments of fifty dollars each, during each said year, to Rena Cooley of Augusta, for and in behalf of herself and her minor children, Violet and Evelyn, under the supervision of the governor and council.

Approved April 7, 1917.

## Chapter 103.

Resolve, in Favor of Mary S. Hillman.

**Mary S. Hillman.** Resolved: That there be, and hereby is, appropriated the sum of five hundred dollars per annum for the years nineteen hundred and seventeen and nineteen hundred and eighteen, the said money to be paid Mary S. Hillman of Island Falls in quarterly payments of one hundred and twenty-five dollars each.

Approved April 7, 1917.

## Chapter 104.

Resolve, in Favor of the Secretaries of the Following Committees for Expenses of Committees Incurred During the Session of the Seventy-eighth Legislature.

**Secretaries of legislative committees.** Resolved: That there be appropriated the sum of eight hundred nine dollars and thirty-one cents, to be paid to the secretaries of the following named committees for committee expenses incurred during the seventy-eighth legislature as follows:

<b>R. L. Bussabarger</b> , secretary, committee school for feeble minded, fifty-five dollars and forty-eight cents	\$55 48
<b>W. J. Driscoll</b> , secretary, committee state prison, eighty dollars	80 00
<b>F. S. Packard</b> , secretary, committee state sanatoriums, fifty-five dollars and twenty cents	55 20
<b>F. P. Washburn</b> , secretary, committee on education, four hundred fifty-three dollars and twenty-eight cents	453 28
<b>F. I. Brown</b> , secretary, committee school for boys, and women's reformatory, eighty dollars	80 00
<b>E. T. Hartwell</b> , secretary, committee Indian affairs, thirty-three dollars	33 00
<b>J. D. Phillips</b> , secretary, committee insane hospitals, thirty-eight dollars	38 00
<b>C. S. Brown</b> , secretary, committee special, fourteen dollars and thirty-five cents	14 35

Amounting to the sum of eight hundred nine dollars and thirty-one cents	<b>\$809.31</b>
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Approved April 7, 1917.

## Chapter 105.

Resolve, Appropriating Money for the Erection and Equipment of a State Armory for the Use of the National Guard of the City of Lewiston.

**Preamble.** Whereas, the people of Maine find themselves in what is virtually a state of war with a foreign power, and whereas it is the duty of the State of Maine to equip herself to discharge her full obligations as a member of the United States, and

Whereas, armories for the assembling, training and drilling of troops are immediately necessary for the preservation of the public peace, health and safety, now therefore, be it Resolved:

**Sec. 1. State armory at Lewiston.** That there be, and hereby is, appropriated and that the governor and council are hereby authorized to expend from any funds in the treasury not otherwise appropriated, and in particular and especially from the fund appropriated by the present Legislature for purposes of war, the sum of eighty thousand dollars in the year nineteen hundred seventeen in the erection and equipment of an Armory building in the City of Lewiston for the use of the National Guard of the State of Maine in said city, provided that the City of Lewiston shall furnish a lot or site for said Armory building acceptable to the governor and the commission to be appointed for the building of such Armory, and shall deed the same to the state upon the passage of this resolve, or when required by the commission herein provided for; said sum to be expended for the above purposes by a Commission consisting of the Adjutant General, two citizens of the City of Lewiston and two citizens of the City of Bangor, to be appointed by the governor, subject, however, to the supervision and direction of the State Armory Commission to whom said Armory shall be turned over for the benefit of the state aforesaid upon its completion and acceptance.

**Sec. 2. Emergency.** In view of the emergency expressed in the preamble hereof, this resolve shall take effect when approved.

Approved April 7, 1917.

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## Chapter 106.

Resolve, Appropriating Money for the Care and Maintenance of Fort William Henry in the town of Bristol.

**Fort William Henry—care and maintenance.** Resolved: That there be, and hereby is, appropriated for the care and maintenance of the memorial tower erected by the state at Fort William Henry, and for the preservation and improvement of the property of the state at said fort, the sum of three hundred dollars for the year nineteen hundred seventeen, and three hundred dollars for the year nineteen hundred eighteen; said sums to be expended under the direction of the commissioners of the state in charge of said fort.

Approved April 7, 1917.

## Chapter 107.

Resolve, for the Pay of the Chaplains and Certain Employees and for Typewriting and Stenographic Assistance for the Official Reporter of the Senate.

**Chaplains and certain employees of Senate.** Resolved: That there be and hereby is appropriated to be paid to the following persons for services rendered the senate of the seventy-eighth legislature or its officers, the sums set against their names, as follows:

<b>H. L. Greenlief of Monmouth</b> , special assistant messenger of the senate, one hundred fifty-three dollars	153 00
<b>W. M. Stuart of Newport</b> , senate document clerk, three hundred ten dollars	310 00
<b>Georgie A. Fales of Waterville</b> , stenographer to the secretary of the senate, four hundred fifty dollars	450 00
<b>Ruth E. Perkins of Hallowell</b> , stenographer to the president of the senate, two hundred fifty dollars	250 00
<b>Fred W. Lee of Augusta</b> , official senate reporter, for typewriting and stenographic assistance employed by him in the preparation and completion of the Legislative Record, eight hundred dollars	800 00
<b>The chaplains of the senate</b> , in accordance with a list filed with the treasurer of state, not exceeding in amount one hundred forty dollars	140 00
Amounting to a total of two thousand one hundred three dollars	\$2,103 00

Approved April 7, 1917.

## Chapter 108.

Resolve, Continuing Unexpended Balance of Appropriation Provided by Chapter Three Hundred Twenty-one of the Resolves of Nineteen Hundred and Thirteen Entitled "Resolve in Favor of Aid in the Construction of a Highway Bridge across the St. John River between Fort Kent, Maine, and St. Francis, New Brunswick."

**Unexpended balance Fort Kent-St. Francis bridge, continued.** Whereas, the legislature of nineteen hundred and thirteen by chapter three hundred twenty-one of the resolves of that year appropriated fifteen thousand dollars to be expended under certain conditions for the building of a bridge across the St. John river between Fort Kent, Maine, and St. Francis, and,

Whereas, the legislature of nineteen hundred and fifteen by chapter two hundred fifteen of the resolves of that year provided that said money should remain in the state treasury during the years nineteen hundred and fifteen and nineteen hundred and sixteen to be used for the purpose, for which it was originally appropriated during said years nineteen hundred and fifteen and nineteen hundred and sixteen, and,

Whereas all of said money was not expended but part thereof remains in the state treasury having been transferred and credited to the state contingent fund on January first, nineteen hundred and seventeen, as provided by law, therefore be it

**CHAP. 109**

Resolved: That, provided the conditions of said chapter three hundred twenty-one of the resolves of nineteen hundred and thirteen are complied with during the years nineteen hundred and seventeen and nineteen hundred and eighteen, so much of said money so unexpended is hereby appropriated from the state contingent fund and shall remain in the state treasury during those years to be used for the purpose for which it was originally appropriated and shall be available for such use at any time during the years nineteen hundred and seventeen and nineteen hundred and eighteen to be expended as directed under said original resolve.

Approved April 7, 1917.

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## **Chapter 109.**

**Resolve, Authorizing the Publication of Automobile Registration.**

**Publication of automobile registrations.** Resolved: That the secretary of state be and hereby is authorized to make arrangements with all persons, firms or corporations who will publish a list of the automobile registrations in the State of Maine; said persons, firms, or corporations to publish a list each month, said list to contain the registration number, name of the party to whom issued, residence, style of car, make of car and manufacturer's number; the said persons, firms or corporations to pay for the actual cost of furnishing said list by the secretary of state; the price of said list to the purchaser not to exceed fifty cents per copy.

Approved April 7, 1917.

**Chapter 110.**

Resolve on the Pay Roll of the House of the Seventy-eighth Legislature.

**PAY ROLL**

Of the Members and Officers of the House of Representatives of the Seventy-Eighth Legislature, at the session held at Augusta, commencing on the third day of January and closing on the seventh day of April, in the year of our Lord, one thousand nine hundred seventeen.

**County of Androscoggin.**

TOWNS.	NAMES.	Miles from Augusta.	Amount for attendance.	Amount for travel and attendance.
Auburn	Ara Cushman, Jr.	55	\$400	\$411
	Donald D. Garcelon	55	400	411
	Charles E. Williams	55	400	411
Durham	Herbert J. Wagg	60	400	412
Lewiston	Napoleon Bolduc	55	400	411
	William J. Driscoll	55	400	411
	George A. Emerson	55	400	411
	Francis M. Langley	55	400	411
	Raoul C. Levesque	55	400	411
Lisbon	Ernest F. Clason	45	400	409
Livermore	Frederick A. Leavitt	45	400	409
Mechanic Falls	Frank O. Purington	80	400	416
				4,934

**County of Aroostook.**

Ashland	George H. McNally	240	400	448
Caribou	Leander E. Tuttle	275	400	455
Fort Fairfield	Clarence A. Powers	245	400	449
Houlton	Charles P. Barnes	215	400	443
Island Falls	Howard R. Sisson	185	400	437
Littleton	Lucene A. Hill	230	400	446
Madawaska	Luc Albert	325	400	465
Mars Hills	Seth L. Snow	245	400	449
New Canada Pl.	Isaie C. Daigle	300	400	460
Presque Isle	Samuel C. Greenlaw	255	400	451
Reed Pl.	Lyndon E. Clifford	160	400	432
Van Buren	George V. Hammond	295	400	459
Wallagrass Pl.	Henry H. Daigle	290	400	458
Westfield	Perry E. Day	250	400	450
Woodland	Perley T. Howard	275	400	455
				6,757

## County of Cumberland.

TOWNS.	NAMES.	Miles from Augusta.	Amount for Attendance.	Amount for travel and attendance.
Bridgton	D. Eugene Chaplin	115	400	423
Brunswick	Henry C. Hunt	35	400	407
	Eugene D. Morin	35	400	407
Cumberland	George W. Jordan	55	400	411
Freeport	George P. Coffin	45	400	409
Gorham	George Alden	65	400	413
Gray	Harry Merrill	70	400	414
Harrison	Alfred R. Clark	130	400	426
Naples	John L. Meserve	105	400	421
Portland	George H. Allan	65	400	413
	Albert E. Anderson	65	400	413
	Percival P. Baxter	65	400	413
	Ralph O. Brewster	65	400	413
	Charles E. Gurney	65	400	413
	Edgar E. Rounds	65	400	413
	Emery G. Wilson	65	400	413
Scarboro	Fred M. Newcomb	70	400	414
Sebago	George Herbert Babb	110	400	422
South Portland	Frank I. Brown	70	400	414
	Joseph F. Chaplin	70	400	414
Westbrook	William Bryant Bragdon	70	400	414
	Alexander Speirs	65	400	413
Yarmouth	William H. Rowe	45	400	409
				9,522

## County of Franklin.

Farmington	Hannibal Russell	100	400	420
Kingfield	Eugene E. Jenkins	125	400	425
Strong	Phillip D. Stubbs	115	400	423
Wilton	Charles R. Hall	95	400	419
				1,687

## County of Hancock.

Bluehill	Charles A. Snow	125	400	425
Bucksport	Wiley C. Conary	95	400	419
Eden	Judson H. Sawyer	140	400	428
Ellsworth	Fulton J. Redman	105	400	421
Gouldsboro	Arthur B. Holt	130	400	426
Stonington	Joseph C. Harman	125	400	425
Southwest Harbor	Joseph D. Phillips	155	400	431
				2,975

**County of Kennebec.**

TOWNS.	NAMES.	Miles from Augusta.	Amount for attendance.	Amount for travel and attendance.
Augusta	Frank G. Farrington	5	400	401
	Guy P. Gannett	5	400	401
Chelsea	Walter R. Burbank	10	400	402
Clinton	Frank L. Besse	30	400	406
Gardiner	Edwin W. Ellis	10	400	402
Litchfield	Frank W. Libby	20	400	404
Manchester	Edgar M. Lenfest	5	400	401
Randolph	C. E. Clarke	10	400	402
Sidney	Theodore W. Longley	35	400	407
Vassalboro	B. H. Cates	15	400	403
Waterville	Sherman L. Berry	20	400	404
	Geddon Picher	20	400	404
Wayne	Tudor G. Jennings	20	400	404
				5,241

**County of Knox.**

Hope	George E. Grant	110	400	422
Rockland	Fred S. Packard	95	400	419
Saint George	Joseph E. Hooper	110	400	422
Union	Herbert E. Messer	100	400	420
Vinalhaven	Claes E. Bowman	110	400	422
Warren	Robert J. Andrews	90	400	418
				2,523

**County of Lincoln.**

Boothbay	Elton H. Lewis	75	400	415
Boothbay Harbor	Lincoln M. Harris	75	400	415
Jefferson	Harold E. Dow	85	400	417
Waldoboro	Thomas L. Richards	85	400	417
				1,664

**County of Oxford.**

Dixfield	Frank Stanley	105	400	421
Hebron	C. W. Cummings	80	400	416
Hiram	Frank E. Stearns	100	400	420
Lovell	Ralph G. Charles	125	400	425
Mexico	George A. Hutchins	110	400	422
Norway	Herbert F. Andrews	80	400	416
Rumford	Frederic O. Eaton.	110	400	422
				2,942

County of Penobscot.

TOWNS.	NAMES.	Miles from Augusta.	Amount for attendance.	Amount for travel and attendance.
Bangor	John F. Fleming	75	400	415
	William J. Largay	75	400	415
	Edward P. Murray	75	400	415
	Winfield Scott Reed	75	400	415
Brewer	Victor H. Mutty	75	400	415
Corinth	Frank P. Morison	95	400	419
Dexter	Freeman D. Dearth	65	400	413
Etna	Bird F. Cole	65	400	413
Holden	Harry M. Hart	90	400	418
Lincoln	Samuel H. Kneeland	120	400	424
Millinocket	John O' Connell	150	400	430
Newburgh	Samuel M. Packard	65	400	413
Old Town	Eben T. Hartwell	90	400	418
Orono	George A. King	85	400	417
Prentiss	Pitt E. Averill	150	400	430
Veazie	Frank C. Turner	80	400	416
Winn	Thorndike A. Ranney	130	400	426
				7,112

County of Piscataquis.

Atkinson	Edwin B. Lyford	125	400	425
Brownville	Erwin G. Ryder	120	400	424
Monson	John R. Flint	145	400	429
Parkman	J. Walter Watson	90	400	418
				1,696

County of Sagadahoc.

Bath	Charles A. Corliss	45	400	409
	Edward W. Larrabee	45	400	409
Bowdoinham	William L. Bonney	25	500	505
Topsham	William F. Tate	35	400	407
				1,730

County of Somerset.

Anson	Frank H. Holley	50	400	410
Bingham	Clarence W. Dutton	75	400	415
Detroit	Vernon C. Bowman	45	400	409
Fairfield	Benjamin H. Lawrence	25	400	405
Harmony	Elmer A. Pattee	60	400	412
Madison	Warren G. Sawyer	50	400	410
Skowhegan	Carlton M. Holt	40	400	408
				2,869



## County of Waldo.

TOWNS.	NAMES.	Miles from Augusta.	Amount for Attendance.	Amount for travel and attendance.
Belfast	Hodgdon C. Buzzell	70	400	414
Brooks	Edwin C. Holbrook	55	400	411
Liberty	Preston E. Boynton	85	400	417
Montville	James J. Clement	70	400	414
Stockton Springs	Albert M. Ames	95	400	419
				<hr/> 2,075

## County of Washington.

Addison	Aaron E. Drisko	165	400	433
Baileyville	Howard H. Jordan	215	400	443
Calais	Robert J. Murphy	210	400	442
Cherryfield	Alvin N. Webb	135	400	427
Eastport	H. E. Nicholas	215	400	443
Jonesboro	Eldridge M. Watts	165	400	433
Lubec	Robert Lee Bussabarger	215	400	443
Machiasport	George A. Welch	170	400	434
Perry	Frank P. Washburn	210	400	442
				<hr/> 3,940

## County of York.

Berwick	Willis A. Frost	110	400	422
Biddeford	Henry A. Descoteaux	80	400	416
	Clarence Goldthwait	80	400	416
	James J. Neilon	80	400	416
Cornish	William H. Pendexter	95	400	419
Eliott	Aaron B. Cole	130	400	426
Kennebunk	Fred C. Knight	95	400	419
Kennebunkport	Luman E. Fletcher	95	400	419
Limington	Guy A. Brackett	95	400	419
North Berwick	Elmer H. Billings	105	400	421
Saco	Charles H. Hanson	80	400	416
Sanford	Harmon G. Allen	100	400	420
Shapleigh	George T. Crediford	110	400	422
York	Frank H. Ellis	140	400	428
				<hr/> 5,879

## CHAP. 111

## OFFICERS.

OFFICE.	OFFICERS.	Miles traveled.	Amount for attendance.	Amount for travel and attendance.
Clerk	William R. Roix	255	1400	1451
Assistant Clerk	Edward E. Chase	125	600	625
Messenger	Patrick Hayes	10	400	402
First Asst. Messenger	Chandler Hutchins	105	300	321
Document Clerk	W. W. Greateon	55	300	311
First Folder	Joseph H. Dixon	125	300	325
Second Folder	Howard S. Mitchell	70	300	314
Postmaster	Wm. F. Morrison	125	300	325
Mail Carrier	Thomas M. Rollins	5	300	301
Door Keeper	Charles Ashford	5	300	301
Pages	Colby Kolloch	245	150	199
	Clark Drummond	20	150	154
Official Reporter	Cecil Clay	65	1000	1013
				6,042

Resolved: That there be paid out of the treasury of the state to the several persons named in the foregoing pay roll the sum set against their names respectively, amounting to the sum of sixty-nine thousand five hundred and eighty-eight dollars.

Approved April 7, 1917.

## Chapter 111.

Resolve, Appropriating Money to Aid in Screening Lakes and Ponds, and for Other Purposes.

**Screening lakes and ponds.** Resolved: That the sum of five thousand five hundred forty-two dollars and twenty-seven cents be, and is hereby, appropriated, to be paid out of license fees collected of non-resident fishermen and to be expended by the commissioners of inland fisheries and game, under the direction of the governor and council, to aid in screening lakes and ponds, and for certain other purposes, as specified below; provided, however, that no appropriation hereafter specified for the erection of a screen at the outlet of a lake or pond shall be available until the town in which the outlet of the lake or pond to be screened is situated, or an adjoining town, shall have, in legal town meeting, and having an article in said town meeting for that purpose, by vote of record, voted to assume all liability for the keeping of said screen at all times free from sticks, leaves and all debris, so that the same will not become clogged and prevent the free running of

## CHAP. 111

the water through the same, and provided, further that said appropriation shall not be available until citizens of the county in which said lake or pond to be screened is situated shall have paid into the state treasury the balance necessary, as found by the commissioners of inland fisheries and game, to erect said screen.

Any appropriation herein named, or part thereof, not expended during the year nineteen seventeen, shall be available during the year nineteen hundred eighteen.

## Screens

<b>For screening the outlet of Great pond, or Long pond,</b> so-called, in Mt. Desert and Southwest Harbor, Hancock county, two hundred fifty dollars	\$250 00
<b>For screening the Stanley ponds,</b> so-called, in Hiram and Porter, Oxford county, one hundred dollars	100 00
<b>For screening Garland pond,</b> in Byron, Oxford county, one hundred fifty dollars	150 00
<b>For screening the outlet of Upper Kezar pond, or Lake Kezar,</b> so-called, in Lovell, Oxford county, four hundred dollars	400 00
<b>For screening the outlet of Parks pond,</b> in Clifton, Penobscot county, two hundred dollars	200 00
<b>For screening the outlet of Stetson pond,</b> in Stetson, Penobscot county, two hundred dollars	200 00
<b>For screening the outlet of Oaks pond,</b> in Skowhegan, Somerset county, one hundred dollars	100 00
<b>For screening the outlet of Decker pond,</b> in Caratunk, Somerset county, one hundred fifty dollars	150 00
<b>For screening the outlet of Lake Moxie,</b> in The Forks plantation and in East Moxie and Bald Mountain township, so-called, Somerset county, one hundred fifty dollars	150 00
<b>For screening the outlet of Wilson lake,</b> in Wilton, Franklin county, five hundred dollars	500 00
<b>For screening the outlet of Lambert lake,</b> in Township 11, Range 3, N. B. P. P., and in Township 1, Range 3, T. S., Washington county, one hundred fifty dollars	150 00

## CHAP. 111

For screening the outlet of Cathance lake, in Cooper and Township 14, E. D., Washington county, four hundred dollars	400 00
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For screening the outlet of Boyden's lake, in Perry, Washington county, one hundred dollars	100 00
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For screening the outlet of Adams pond, in Newfield, York county, two hundred dollars	200 00
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**Maintenance of Screen.**

For maintaining the screen already installed at the outlet of Cochnewagon lake, in Monmouth, Kennebec county, seventy dollars	70 00
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**Feeding Pools at Raymond Hatchery.**

For additional feeding pools at the Raymond fish hatchery in Raymond, Cumberland county, two thousand dollars	2,000 00
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**Claim.**

To reimburse John E. Sewall and C. F. A. Phair, of Presque Isle, Aroostook County, for one-half the amount expended for screening the outlet of Squa Pan lake, in said county, four hundred twenty-two dollars and twenty-seven cents.	422 27
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Approved April 7, 1917.

## Chapter 112.

Resolve On the Pay Roll of the Senate.

**Pay roll of the Senate.** Resolved: That there be paid out of the treasury of the state, to the several persons named in the following pay roll, the sums set against their names, respectively, amounting to the sum of eighteen thousand six hundred and four dollars.

### PAY ROLL

Of the Members and Officers of the Senate of the Seventy-eighth Legislature, for the Session held at Augusta, beginning on the third day of January, in the year of our Lord one thousand nine hundred and seventeen:

#### Senators

DISTRICTS.	NAMES.	For attendance.	Miles.	Mileage.	Total for attendance and travel.
First	J. Merrill Lord	\$400	100	\$20	\$420
	John P. Deering	400	80	16	416
	Jos. W. Gordon	400	100	20	420
Second	Freeman M. Grant	400	65	13	413
	Roscoe T. Holt	400	65	13	413
	Frank D. Marshall	400	65	13	413
	Howard Davies	400	40	8	408
Third	Orman L. Stanley	400	100	20	420
Fourth	David R. Hastings	400	55	11	411
	John M. Googin	400	55	11	411
Fifth	Whiting L. Butler	400	100	20	420
Sixth	Rupert H. Baxter	400	45	9	409
Seventh	Willis E. Swift	400	5	1	401
	Arthur J. Chick	400	15	3	403
	Martin F. Bartlett	400	20	4	404
	Edward N. Merrill	400	40	8	408
Eighth	Wm. L. Walker	400	45	9	409
	Harry W. Davis	400	85	17	417
Ninth	Taber D. Bailey	500	75	15	515
	Patrick H. Gillin	400	75	15	415
	Leon F. Higgins	400	75	15	415
	Chester A. Boynton	400	80	16	416
Eleventh	Gilford B. Butler	400	100	20	420
Twelfth	Charles M. Conant	400	85	17	417
Thirteenth	Willis A. Ricker	400	95	19	419
	Chas. H. Wood	400	140	28	428
	Robert J. Peacock	400	215	43	443
Fifteenth	Alfred K. Ames	400	165	33	433
	Aaron J. Fulton	400	245	49	449
	Albert A. Burleigh	400	225	45	445
	August Peterson	400	280	56	456
		\$12500		\$587	\$13087

## CHAP. 118

## Officers.

DISTRICTS.	NAMES.	For attendance.	Miles.	Mileage	Total for services and travel.
Secretary	W. E. Lawry	\$1500	5	\$ 1	\$1501
Ass't Secretary	L. Ernest Thornton	150	225	45	195
Ass't Secretary	Percy F. Crane	450	185	37	487
Messenger	Chas. H. Lovejoy	400	20	4	404
Ass't Messenger	J. F. Ashford	300	55	11	311
Ass't Messenger	Percy F. Crane	75			75
Folder	Clyde E. Steward	300	5	1	301
Ass't Folder	Milton C. James	300	5	1	301
Postmaster	Arthur A. Knight	300	75	15	315
Doorkeeper	Stephen D. Lord	300	110	22	322
Page	G. H. Chick	150	15	3	153
Page	Joseph Young, Jr.	150	5	1	151
Official Reporter	Fred Lee	1000	5	1	1001
		\$5375		\$142	\$5517
Total for attendance and services .....					\$17,875
Total for travel .....					729
Grand total .....					\$18,604

Approved April 7, 1917.

## Chapter 113.

Resolve, in Favor of T. M. Rollins, Mail Carrier of the House of Representatives for Expenses.

**T. M. Rollins.** Resolved: That there be, and hereby is, appropriated the sum of twenty-nine dollars and thirty cents to be paid to T. M. Rollins, mail carrier of the house of representatives, for cash paid out for car fare and team hire in carrying the mail for the house of representatives during the session of the seventy-eighth legislature.

Approved April 7, 1917.

## Chapter 114.

Resolve, Appropriating Money for the Purpose of Obtaining Information in Regard to Wild Lands for the Purposes of Taxation.

**Information regarding wild lands for purposes of taxation.** Resolved: That the sum of five thousand dollars be and hereby is appropriated for the year nineteen hundred seventeen, and a like sum for the year nineteen hundred eighteen, to be expended by the board of state assessors, under the di-

**CHAP. 115**

rection of the governor and council, for the purpose of employing a competent person or persons whose duty it shall be to assist said board in verifying and protecting, so far as practicable, a proper description of each parcel or tract of wild land, and the individual or corporate ownership thereof, in townships not incorporated, in order that such lands may be properly described for taxation purposes, and for incorporating such description in deeds when the lands are sold for taxes; also for the employment of a competent person or persons to assist said board of state assessors in making such special exploration of wild land townships, and such lands located in incorporated towns and plantations, as the board of state assessors may deem advisable, to ascertain for taxation purposes their just and fair value. Said board in its regular report shall incorporate a report of the work done under this resolve and a summarized statement of their expenditure.

Approved April 7, 1917.

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## **Chapter 115.**

**Resolve, to Provide for the Payment of Telephone Service for Members During the Present Session of the Legislature.**

**Telephone service for members of legislature.** Resolved: That there be, and hereby is, appropriated in favor of the New England Telephone and Telegraph Company the sum of five hundred dollars in payment for telephone service of members of the present legislature during its present session in accordance with the terms of the agreement made with said company by the joint committee authorized to make an agreement with said company for such service.

Approved April 7, 1917.

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## **Chapter 116.**

**Resolve, Proposing an Amendment to Section Three of Part One of Article Four of the Constitution in Regard to the Apportionment of Representatives in the Event of Merger of Towns and Cities.**

**Constitutional amendment—apportionment of representatives.** Resolved: Two-thirds of the legislature concurring, that the following amendment to the constitution of this state be proposed for action of the legal voters, to wit: By inserting in the eighth line of section three of part first of article four of the constitution, after the words "but no town shall ever be entitled to more than seven representatives," the words 'except that in the event of the merger of towns or cities, the new town or city shall be allowed the combined representation of the former units', so that said section as amended shall read as follows:

'Section 3. Each town having fifteen hundred inhabitants, may elect one representative; each town having three thousand seven hundred and fifty may elect two; each town having six thousand seven hundred fifty may elect three; each town having ten thousand five hundred may elect

**CHAP. 116**

four; each town having fifteen thousand may elect five; each town having twenty thousand two hundred and fifty may elect six; each town having twenty-six thousand two hundred and fifty may elect seven; but no town shall ever be entitled to more than seven representatives, except that in the event of the merger of towns or cities, the new town or city shall be allowed the combined representation of the former units; and towns and plantations duly organized, not having fifteen hundred inhabitants, shall be classed as conveniently as may be into districts containing that number, and so as not to divide towns, and each such district may elect one representative; and when on this apportionment the number of representatives shall be two hundred, a different apportionment shall take place upon the above principle; and in case the fifteen hundred shall be too large or too small to apportion all the representatives to any county, it shall be so increased or diminished as to give the number of representatives according to the above rule and proportion; and whenever any town or towns, plantation or plantations not entitled to elect a representative shall determine against a classification with any other town or plantation, the legislature may, at each apportionment of representatives on the application of such town or plantation, authorize it to elect a representative for such portion of time and such periods, as shall be equal to its portion of representation; and the right of representation so established, shall not be altered until the next general apportionment.'

**Date of vote.** Resolved, That the aldermen of cities, the selectmen of towns and the assessors of the several plantations in this state are hereby empowered and directed to notify the inhabitants of their respective cities, towns and plantations to meet in the manner prescribed by law for calling and holding biennial meetings of said inhabitants for the election of senators and representatives, on the second Monday in September following the passage of this resolve, to give in their votes upon the amendment proposed in the foregoing resolution, and the question shall be: 'Shall the constitution be amended as proposed by a resolution of the legislature, allowing representation in the house of representatives to remain as formerly in the event of the merger of towns or cities?' And the inhabitants of said cities, towns and plantations shall vote by ballot on said question, those in favor of the amendment expressing it by the word "Yes" upon their ballots and those opposed to the amendment by the word "No" upon their ballots and the ballots shall be received, sorted, counted, and declared in open ward, town and plantation meetings, and returns made to the office of secretary of state in the same manner as votes for governor and members of the legislature, and the governor and council shall count the same, and if it shall appear that a majority of the inhabitants voting on the question are in favor of the amendment, it shall thereupon become a part of the constitution, and the governor shall forthwith make known the fact by his proclamation.

**Notification of municipalities.** Resolved: that the secretary of state shall prepare and furnish to the several cities, towns and plantations ballots and blank returns in conformity with the foregoing resolves accompanied by a copy thereof.

Approved April 7, 1917.



## Chapter 117.

Resolve, Providing for certain State Pensions.

**State pensions.** Resolved: That the persons named on the following list be paid the amounts set opposite their respective names from the appropriation for pensions of soldiers and sailors, widows, orphans, and other dependents of soldiers and sailors, from the first day of January, nineteen hundred and seventeen, until otherwise provided by the legislature.

<b>Joann P. Libby</b> , Greenwood, eight dollars per month.	8 00
<b>Myra G. Millett</b> , Portland, eight dollars per month.	8 00
<b>Stephen F. Flood</b> , St. George, ten dollars per month.	10 00
<b>Mary Allen</b> , Bowdoinham, sixteen dollars per month.	16 00
<b>Vinnie E. Saunders</b> , Trescott, fifteen dollars per month.	15 00
<b>Susan B. Merrill</b> , Norway, eight dollars per month.	8 00
<b>Zebedee M. Cushman</b> , Kennebunk, eight dollars per month.	8 00
<b>Cora M. Libby</b> , Kennebunk, five dollars per month.	5 00
<b>Adaline M. Hanaford</b> , Lewiston, eight dollars per month.	8 00
<b>Levi E. Holden</b> , Norway, eight dollars per month.	8 00
<b>Olive A. Getchell</b> , North Berwick, four dollars per month.	4 00
<b>Addie L. Coombs</b> , Montville, eight dollars per month.	8 00
<b>Ellen M. Shute</b> , Stockton Springs, five dollars per month.	5 00
<b>Winifred Whitney</b> , Union, ten dollars per month.	10 00
<b>Hattie E. Rust</b> , South Portland, eight dollars per month.	8 00
<b>Georgiana Carley</b> , Stockton Springs, twelve dollars per month.	12 00
<b>Lucena P. Andrews</b> , Stockton Springs, ten dollars per month.	10 00
<b>Luella Darling</b> , Oxbow Plantation, twelve dollars per month.	12 00
<b>William H. Clark</b> , Levant, eight dollars per month.	8 00
<b>Charles D. Preble</b> , Kittery, ten dollars per month.	10 00
<b>William H. Durham</b> , Belfast, eight dollars per month.	8 00
<b>Margaret H. Root</b> , Kittery, ten dollars per month.	10 00
<b>Drusilla Roberts</b> , Brooks, twelve dollars per month.	12 00
<b>Pamelia F. McElroy</b> , Topsfield, eight dollars per month.	8 00
<b>Arvesta M. Conrey</b> , Lisbon, five dollars per month.	5 00
<b>Sarah E. White</b> , Princeton, fifteen dollars per month.	15 00
<b>Emma A. Gannett</b> , Augusta, eight dollars per month.	8 00
<b>John Lamson</b> , Vassalboro, six dollars per month.	6 00
<b>Charles S. Robbins</b> , Lewiston, six dollars per month.	6 00
<b>Flora Stevens</b> , Lewiston, eight dollars per month.	8 00
<b>James D. Wilder</b> , Hiram, ten dollars per month.	10 00
<b>Dorcas W. Watkins</b> , Lewiston, eight dollars per month.	8 00
<b>Amanda H. Loud</b> , Randolph, ten dollars per month.	10 00
<b>Nehemiah Guptill</b> , Addison, twelve dollars per month.	12 00
<b>Patrick A. Galvin</b> , Auburn, fifteen dollars per month.	15 00

## CHAP. 117

<b>Charlotte A. Arey</b> , Brewer, twelve dollars per month.	12 00
<b>Abigail Munson</b> , Calais, six dollars per month.	6 00
<b>Inez Sutherland</b> , Nashville Plantation, twelve dollars per month.	12 00
<b>Salathiel D. Seeley</b> , Perry, ten dollars per month	10 00
<b>Bertha A. Gleason</b> , Portland, ten dollars per month.	10 00
<b>Annie Howe</b> , Perry, eight dollars per month.	8 00
<b>Carolina E. Remick</b> , Otis, ten dollars per month.	10 00
<b>John H. Sawyer</b> , Westbrook, eight dollars per month.	8 00
<b>Eliza A. Thomas</b> , Lewiston, six dollars per month.	6 00
<b>Alice S. Hood</b> , Augusta, twelve dollars per month.	12 00
<b>Ella W. Eaton</b> , Brunswick, twelve dollars per month.	12 00
<b>Harmon J. Dill</b> , Lewiston, ten dollars per month.	10 00
<b>Catharine Nelligan</b> , Brewer, four dollars per month.	4 00
<b>Achsa E. Lawry</b> , Montville, six dollars per month.	6 00
<b>Johanna J. Kelleher</b> , Lewiston, twelve dollars per month.	12 00
<b>Mary J. Goodwin</b> , Old Town, four dollars per month.	4 00
<b>Lorenzo D. Wight</b> , Montville, six dollars per month.	6 00
<b>Ann M. Larrabee</b> , Winterport, six dollars per month.	6 00
<b>Phoebe Dano</b> , Readfield, twelve dollars per month.	12 00
<b>Bridget Hogan</b> , Lewiston, eight dollars per month.	8 00
<b>Margaret Francis</b> , Lubec, eight dollars per month.	8 00
<b>Samuel S. Goodwin</b> , Amherst, six dollars per month.	6 00
<b>Lydia E. Sutter</b> , Monticello, eight dollars per month.	8 00
<b>George E. Spear</b> , Montville, ten dollars per month.	10 00
<b>Hannah Hogan</b> , Lewiston, eight dollars per month.	8 00
<b>Harvey C. Black</b> , Augusta, eight dollars per month.	8 00
<b>Eliza A. McKenney</b> , Winn, eight dollars per month.	8 00
<b>Jane Frazier</b> , Clifton, eight dollars per month.	8 00
<b>Theresa Rines</b> , Etna, eight dollars per month.	8 00
<b>Electa J. Lawry</b> , Montville, six dollars per month.	6 00
<b>James R. Hunton</b> , Milford, ten dollars per month.	10 00
<b>Maria L. Wallace</b> , Lubec, eight dollars per month.	8 00
<b>Emily T. Smith</b> , Litchfield, eight dollars per month.	8 00
<b>Rosilla Hall</b> , Harrington, eight dollars per month.	8 00
<b>Mrs. S. J. Everson</b> , Addison, four dollars per month.	4 00
<b>M. Frances Owen</b> , Buxton, eight dollars per month.	8 00
<b>Maria L. Snow</b> , Sedgwick, eight dollars per month.	8 00
<b>Perlie A. Haskell</b> , Sidney, fifteen dollars per month.	15 00
<b>Annie M. Lovell</b> , Starks, ten dollars per month.	10 00
<b>Bertha A. Toomey</b> , Bangor, eight dollars per month.	8 00
<b>Syrena B. Withee</b> , Madison, eight dollars per month.	8 00
<b>Harriett G. Twombly</b> , Harrison, six dollars per month.	6 00

Approved April 7, 1917.

## Chapter 118.

Resolve in Favor of George Martin for Services as Clerk and Stenographer of the Committee on Interior Waters.

**George Martin.** Resolved: That the sum of one hundred and fifty dollars be and is hereby appropriated, to be paid to George Martin for services as clerk and stenographer to the committee on interior waters during the session of the seventy-eighth legislature.

Approved April 7, 1917.

## Chapter 119.

Resolve, in Favor of Fred F. Lawrence, for Services to Committee on Taxation.

**Fred F. Lawrence.** Resolved: That there be, and hereby is, appropriated the sum of fifty dollars and twenty-five cents to be paid to Fred F. Lawrence of Skowhegan, Maine, for services to the committee on taxation, during the seventy-eighth legislature.

Approved April 7, 1917.



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# Acts and Resolves

OF THE

## Seventy-Seventh Legislature

(Special Session)

OF THE

# STATE OF MAINE

## 1916

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The special session of the seventy-seventh Legislature  
convened on Friday, September 29, 1916, and adjourned on  
Saturday, September 30, 1916.

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Private and Special Acts

OF THE

Seventy-Seventh Legislature

(Special Session)

OF THE

STATE OF MAINE

1916

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The special session of the seventy-seventh Legislature convened on Friday, September 29, 1916, and adjourned on Saturday, September 30, 1916.

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**Chapter 1.**

An Act to Authorize the Board of Harbor Commissioners of the City of Portland to Alter and Modify the Harbor Lines.

*Be it enacted by the People of the State of Maine, as follows:*

**Section 1. Portland Harbor.** The Board of Harbor Commissioners of the City of Portland are hereby authorized to make such alterations and modifications of the present lines of that part of the harbor of Portland, now under their jurisdiction and control, as in the judgment of said board, the changes of navigation or of business conditions, shall from time to time, require.

**Section 2. Inconsistent acts repealed.** All acts and parts of acts inconsistent with the provisions of this act, in so far as they apply to that part of the harbor of Portland under the control of said Board of Harbor Commissioners, are hereby repealed.

Approved September 30, 1916.

## Chapter 2.

An Act to Provide for the Payment of the Per Diem and Mileage of Members and Officers and for other Expenditures Incident to the Special Session of the Seventy-seventh Legislature.

*Be it enacted by the People of the State of Maine, as follows:*

**Section 1. Appropriation bill.** In order to provide for the several acts and resolves requiring the payment of money from the state treasury for the per diem and travel of members and officers and for other expenses incident to the special session of the seventy-seventh legislature, the following sums are hereby appropriated out of any moneys in the treasury, and the governor, with the advice and consent of the council, is authorized to draw his warrants on the state treasurer for the same.

### Legislative Department.

For legislative printing, binding, books, stationery, typewriters, stenographers and other necessary clerical assistance and for other contingent and necessary expenses of the special session of the legislature as provided by article four, part third, constitution of Maine, fifteen hundred dollars,

\$1,500 00

### Senate

For pay roll of senate, as provided by chapter one hundred eighty-three, public laws of nineteen hundred and seven, as amended by chapter one hundred eighteen, public laws of nineteen hundred and nine, and as further amended by chapters one hundred and six, and two hundred and two of the public laws of nineteen hundred and fifteen, twelve hundred and fifty-two dollars,

1,252 00

For journal of senate as provided by article four, part third, section five, constitution of Maine, fifty dollars,

50 00

### House.

For pay roll of House of Representatives, as provided by chapter one hundred eighty-three, public laws of nineteen hundred and seven, as amended by chapter one hundred eighteen, public laws of nineteen hundred and nine, and as further amended by chapter one hundred and six, and chapter two hundred and three, of the public laws of nineteen hundred and fifteen, three thousand eight hundred and eighty-five dollars,

3,885 00

For journal of House of Representatives as provided by article four, part third, section five, constitution of Maine, fifty dollars,

50 00

Amounting to the sum of six thousand seven hundred and thirty-seven dollars,

\$6,737 00

Approved September 30, 1916.



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**RESOLVES**

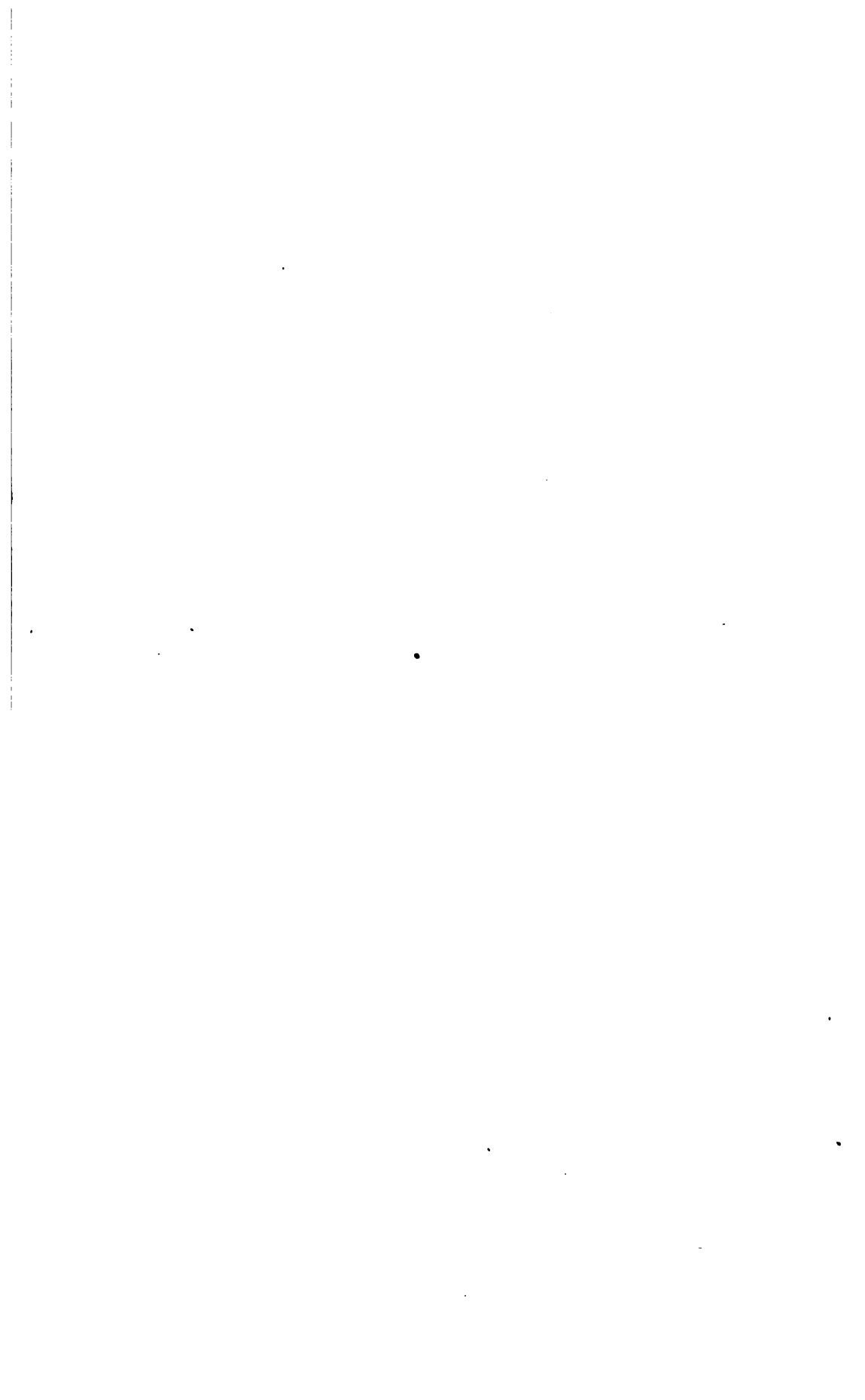
**OF THE**

**STATE OF MAINE**

**1916**

**SPECIAL SESSION**

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**RESOLVES**  
**OF THE**  
**STATE OF MAINE**

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**1916**

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**SPECIAL SESSION**

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**Chapter 1.**

**Resolve on the Pay Roll of the Senate.**

**Pay Roll of the Members and Officers of the Senate of the Seventy-seventh Legislature, at the Special Session held at Augusta, commencing on the twenty-ninth day of September and closing on the thirtieth day of September in the year of our Lord, one thousand nine hundred sixteen.**

## CHAP. 1

## SENATORS.

DISTRICTS.	NAMES.	Amount for Attendance.	Miles.	Mileage.	Total Pay.
First	Cecil F. Clark	\$4 00	85	\$17	\$21
	Aaron B. Cole	4 00	115	23	27
Second	George G. Emery	4 00	100	20	24
	Edward F. Flaherty	4 00	65	13	17
	Ephraim B. Jillson	4 00	120	24	28
	Henry M. Moulton	4 00	55	11	15
	Edward W. Murphy	4 00	65	13	17
Third	Young A. Thurston	4 00	130	26	30
Fourth	Alonzo M. Garcelon	4 00	55	11	15
	David R. Hastings	4 00	55	11	15
Fifth	Eugene I. Herrick	4 00	150	30	34
Sixth	Wallace N. Price	4 00	20	4	8
Seventh	Joseph W. Allen	4 00	30	6	10
	Martin F. Bartlett	4 00	20	4	8
	Willis E. Swift	4 00	5	1	5
Eighth	Forrest H. Colby	4 00	70	14	18
	William L. Walker	4 00	45	9	13
Ninth	Martin L. Durgin	4 00	115	23	27
Tenth	Charles R. Dunton	4 00	90	18	22
	John Leary	4 00	75	15	19
	G. Gilmore Weld	4 00	80	16	20
Eleventh	Leslie Boynton	4 00	75	15	19
Twelfth	Gilford B. Butler	4 00	100	20	24
Thirteenth	Charles M. Conant	4 00	85	17	21
Fourteenth	Melvin D. Chatto	4 00	115	23	27
	Sherman S. Scammon	4 00	120	24	28
Fifteenth	Alfred K. Ames	4 00	165	33	37
	Robert J. Peacock	4 00	215	43	47
Sixteenth	Albert A. Burleigh	4 00	225	45	49
	Aaron J. Fulton	4 00	245	49	53
	Ira G. Hersey	8 00	225	45	53

Total for attendance ..... \$128 00

Total for travel ..... 623

\$751 00

**OFFICERS.**

POSITION.	NAMES.	Service.	Miles.	Mileage.	Total.
Secretary	W. E. Lawry	\$50 00	5	1	\$51 00
Ass't Secretary	L. E. Thornton	25 00	225	45	70 00
Messenger	Chas. H. Lovejoy	4 00	20	4	8 00
Ass't Messenger	James F. Ashford	4 00	55	11	15 00
Folder	(Position Vacant)				
Ass't Folder	Percy F. Crane	4 00	185	37	41 00
Postmaster	Arthur A. Knight	4 00	75	15	19 00
Doorkeeper	Stephen D. Lord	4 00	110	22	26 00
Page	Donald C. Gates	4 00	5	1	5 00
Page	Charles F. Barnes	4 00	225	45	49 00
Official Reporter	Fred W. Lee	35 00	5	1	36 00
Stenog. to Pres. & Record'g Officer	Winifred M. Bearce	15 00	20	4	19 00
Total for services .....					\$158 00
Total for mileage .....					339 00
					<u>\$497 00</u>

**CHAPLAINS**

RESIDENCES.	NAMES.	Days.	Amount.
Augusta	Rev. Chas. G. Mosher	1	\$2
Hallowell	Rev. W. F. Livingston	1	\$2
			<u>\$4</u>

**Resolved:** That there be paid out of the treasury of the State to the several persons named in the foregoing pay roll the sums set against their names respectively amounting to the sum of one thousand two hundred and fifty-two dollars.

Approved September 30, 1916.

## Chapter 2.

Resolve, on the Pay Roll of the House of Representatives.

**Pay Roll of the House. Resolved:** That there be paid out of the treasury of the state to the several persons named in the accompanying pay roll the sum set against their names respectively amounting to the sum of three thousand, eight hundred and eighty-five dollars.

**Pay Roll of the Members and Officers of the House of Representatives** of the Seventy-Seventh Legislature, at the session held at Augusta, commencing on the twenty-ninth day of September and closing on the thirtieth day of September, in the year of our Lord, one thousand nine hundred sixteen.

### County of Androscoggin

TOWNS.	NAMES.	Miles from Augusta.	Amount for Attendance.	Amount for travel and attendance.
Auburn	Sanford K. Ballard	55	4 00	15 00
	Lorenzo T. Brown	55	4 00	15 00
	George T. Woodman	55	4 00	15 00
Leeds	Nathaniel P. Gould	35	4 00	11 00
Lewiston	George Z. Bernier	55	4 00	15 00
	John D. Clifford, Jr.	55	4 00	15 00
	Richard T. Leader	55	4 00	15 00
	George S. McCarty	55	4 00	15 00
	C. J. Russell	55	4 00	15 00
	A. W. Plummer	40	4 00	12 00
Lisbon				
Turner	George E. Newell	70	4 00	18 00
Webster	O. K. Douglass	25	4 00	9 00

## County of Aroostook

TOWNS.	NAMES.	Miles from Augusta.	Amount for Attendants.	Amount for travel and attendance.
Caribou	Leander E. Tuttle	265	4 00	57 00
Easton	W. H. Dilling	250	4 00	54 00
Fort Fairfield	Herbert W. Trafton, Speaker	265	8 00	61 00
Fort Kent	Paul D. Thibodeau	290	4 00	62 00
Hodgdon	Cyrus W. Benn	215	4 00	47 00
Houlton	Leonard A. Pierce	215	4 00	47 00
Island Falls	Seth T. Campbell	175	4 00	39 00
Madawaska	Luc Albert	325	4 00	69 00
Mars Hill	Seth L. Snow	245	4 00	53 00
Merrill	Augustine B. Libby	220	4 00	48 00
New Canada Plantation	Isaie C. Daigle	300	4 00	64 00
New Sweden	August Peterson	280	4 00	60 00
Presque Isle	S. C. Greenlaw	255	4 00	55 00
Van Buren	Fortunat O. Michaud	295	4 00	63 00

## County of Cumberland

Baldwin	Joseph P. Chadbourne	90	4 00	22 00
Brunswick	George Drapeau	35	4 00	11 00
	Gilbert M. Wheeler	35	4 00	11 00
Cape Elizabeth	Frank H. Peabbles	70	4 00	18 00
Freeport	George P. Coffin	45	4 00	13 00
Gorham	Isaac D. Harper	75	4 00	19 00
Harpeswell	Elijah K. Hodgkins	45	4 00	13 00
New Gloucester	Herbert V. Blake	70	4 00	18 00
Portland	N. D. Colcord	65	4 00	17 00
	Edgar S. Fossett	65	4 00	17 00
	James W. Greeley	65	4 00	17 00
	Enoch O. Greenleaf	65	4 00	17 00
	Frederic E. Haskell	65	4 00	17 00
	Luther B. Roberts	65	4 00	17 00
South Portland	Joseph F. Chaplin	70	4 00	18 00
	Lauren M. Sanborn	70	4 00	18 00
Westbrook	W. B. Bragdon	70	4 00	18 00
	William Gilmour	70	4 00	18 00
Windham	Thomas Varney	75	4 00	19 00
Yarmouth	Howard G. Goding	50	4 00	14 00

## County of Franklin

Farmington	Charles H. Pierce	100	4 00	24 00
Jay	Arthur Wilkins	90	4 00	22 00
Kingfield	S. J. Wyman	120	4 00	28 00
New Sharon	George H. Brown	100	4 00	24 00

## CHAP. 2

## County of Hancock

TOWNS.	NAMES.	Miles from Augusta.	Amount for attendance.	Amount for travel and attendance
Bluehill	Ward W. Wescott	125	4 00	29 00
Castine	W. A. Ricker	110	4 00	26 00
Deer Isle	Cecil E. Wasgatt	130	4 00	30 00
Eden	Elmer J. Morrison	140	4 00	32 00
Gouldsboro	A. B. Holt	130	4 00	30 00

## County of Kennebec

Augusta	Niles L. Perkins	5	4 00	5 00
	S. Curtis C. Ward	5	4 00	5 00
Chelsea	Frank C. Meader	10	4 00	6 00
Clinton	Frank L. Besse	30	4 00	10 00
Gardiner	Edwin W. Ellis	10	4 00	6 00
Mount Vernon	John E. Carson	30	4 00	10 00
Oakland	Albion W. Blake	30	4 00	10 00
Pittston	George R. Mansir	10	4 00	6 00
Waterville	Joseph Bourque, Jr.	20	4 00	8 00
	Gedeon Picher	20	4 00	8 00
West Gardiner	Fred Towle	15	4 00	7 00
Winslow	Charles H. Drummond	20	4 00	8 00
Winthrop	Ansel L. Brann	10	4 00	6 00

## County of Knox

Appleton	Joshua T. McCarrison	100	4 00	24 00
Camden	Forrest G. Currier	105	4 00	25 00
Friendship	Sherman T. Jameson	90	4 00	22 00
North Haven	James A. Lewis	105	4 00	25 00
Rockland	Asa P. St. Clair	95	4 00	23 00
South Thomaston	Charles S. Watts	100	4 00	24 00

## County of Lincoln

Alna	John A. Erskine	70	4 00	18 00
Boothbay Harbor	Herbert D. Maxwell	75	4 00	19 00
Nobleboro	James E. Mulligan	70	4 00	18 00
Whitefield	William C. Ford	20	4 00	8 00

## County of Oxford

Bethel	Fred L. Edwards	110	4 00	26 00
Denmark	Charles E. Cobb	110	4 00	26 00
Hartford	Oscar E. Turner	90	4 00	22 00
Mexico	Burton W. Goodwin	110	4 00	26 00
Rumford	Walter G. Morse	110	4 00	26 00
Waterford	Leslie E. McIntire	65	4 00	17 00
	George W. Q. Perham	105	4 00	25 00



## County of Penobscot

TOWNS.	NAMES.	Miles from Augusta.	Amount for attendance.	Amount for travel and attendance.
Bangor	Charles P. Conners	75	4 00	19 00
	Curtis Durgain	75	4 00	19 00
	Hugh T. Gallagher	75	4 00	19 00
Bradley	Henry F. Brawn	85	4 00	21 00
Brewer	Leon F. Higgins	75	4 00	19 00
Corinth	George F. Hill	100	4 00	24 00
Dexter	Norman H. Fay	65	4 00	17 00
Dixmont	Louis I. Bussey	65	4 00	17 00
Hampden	Arthur C. Smith	215	4 00	47 00
Holden	H. M. Hart	90	4 00	22 00
Levant	Cyrus F. Wilson	70	4 00	18 00
Lincoln	George W. Thombs	120	4 00	28 00
Millinocket	John O'Connell	130	4 00	30 00
Old Town	J. Frank Davis	90	4 00	22 00
Prentiss	Pitt E. Averill	150	4 00	34 00
Winn	Thorndike A. Ranney	130	4 00	30 00

## County of Piscataquis

Brownville	Erwin G. Ryder	120	4 00	28 00
Foxcroft	Dana H. Danforth	80	4 00	20 00
Greenville	John H. Gerrish	160	4 00	36 00
Guilford	William E. Wise	90	4 00	22 00

## County of Sagadahoc

Bath	Charles A. Corliss	45	4 00	13 00
	Marshall A. Haraden	45	4 00	13 00
Bowdoinham	W. L. Bonney	25	4 00	9 00
Topsham	William F. Tate	35	4 00	11 00

## County of Somerset

Bingham	Clarence W. Dutton	70	4 00	18 00
Cornville	Sheldon H. Beal	45	4 00	13 00
Fairfield	B. H. Lawrence	25	4 00	9 00
Skowhegan	Carlton M. Holt	40	4 00	12 00
Solon	Mark P. Pollard	65	4 00	17 00
St. Albans	Elwin N. Grant	55	4 00	15 00
Starks	Wilbur W. Greaton	55	4 00	15 00

## County of Waldo

TOWNS.	NAMES.	Miles from Augusta.	Amount for attendance.	Amount for travel and attendance.
Belfast	Adelbert Millett	70	4 00	18 00
Jackson	John H. McKinley	60	4 00	16 00
Lincolnville	Joseph S. Mullin	80	4 00	20 00
Montville	James J. Clement	70	4 00	18 00
Stockton Springs	Albert M. Ames	95	4 00	23 00

## County of Washington

Baileyville	Howard H. Jordan	215	4 00	47 00
Calais	Ashley St. Clair	210	4 00	46 00
Cherryfield	Alvin N. Webb	135	4 00	31 00
Columbia	William B. Tabbutt	145	4 00	33 00
Eastport	H. E. Nicholas	210	4 00	46 00
Lubec	J. J. McCurdy	215	4 00	47 00
Machias	Frank L. Allen	165	4 00	37 00
Machiasport	George A. Welch	170	4 00	38 00
Perry	Frank P. Washburn	210	4 00	46 00

## County of York

Alfred	Frank Russell	100	4 00	24 00
Biddeford	Henry A. Descoteaux	80	4 00	20 00
	Clarence Goldthwait	80	4 00	20 00
	James J. Neilon	80	4 00	20 00
Eliot	Martin P. Tobey	125	4 00	29 00
Hollis	Lindley L. Bradbury	85	4 00	21 00
Kennebunk	Homer T. Waterhouse	85	4 00	21 00
Lebanon	Fred Chamberlin	110	4 00	26 00
Newfield	Thomas E. Mitchell	160	4 00	36 00
Old Orchard	Percy N. H. Lombard	75	4 00	19 00
Saco	Charles H. Hanson	80	4 00	20 00
Sanford	George W. Hanson	100	4 00	24 00
South Berwick	James W. Hobbs	125	4 00	29 00
Wells	Joseph H. Littlefield	125	4 00	29 00

Total, \$3,436 00

**OFFICERS.**

OFFICE.	OFFICERS.	Miles from Augusta.	Amount for attendance.	Amount for travel and attendance.
Clerk	C. C. Harvey	265	\$50 00	\$103 00
Assistant Clerk	F. Belleau	55	25 00	36 00
Ass't Messenger	F. H. Leonard	45	4 00	21 00
Postmaster	James A. Muldoon	210	4 00	46 00
Pages	R. D. Sleeper	125	4 00	29 00
	R. C. Frank	280	4 00	60 00
Doorkeeper	N. S. Gray	90	4 00	22 00
Folder	J. B. Potter	110	4 00	26 00
Assistant Folder	F. K. Jack	25	4 00	9 00
Mail Carrier	P. H. Fitzgerald	5	4 00	5 00
Reporter	A. H. Whitman	65	75 00	88 00
		<b>Total</b>		<b>475 00</b>

**Chaplains.**

Rev. T. J. Nelligan	2 00
Rev. H. E. Dunnack	2 00
<b>Total</b>	<b>4 00</b>

Approved Sept. 30, 1916.

NOTE. In addition to the above, two public acts were passed at the special session of the seventy-seventh legislature. One "An Act to Revise and Consolidate the Public Laws of the State" commonly referred to as the revised statutes of 1916 has already been published in bound form; the other "An Act to Repeal the Acts Consolidated in the Revised Statutes of the Year One Thousand Nine Hundred and Sixteen" and commonly referred to as the "Repealing Act" will be found in that same volume.

## GOVERNOR CURTIS' ADDRESS

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*Gentlemen of the 77th Legislature:*

Under Article 5, Part 1, Section 13, of the Constitution, the Governor is authorized to convene the Legislature on extraordinary occasions and therefore you are assembled in accordance with the call as expressed in the Governor's proclamation issued, Sept. 13, 1916.

A most extraordinary occasion has arisen in connection with the revision of the statutes as required by law because no similar condition appertaining to the revision has heretofore existed.

Formerly on such occasions it has been possible and in fact it has been the custom to adjourn the Legislature to a day certain and secure the required results, but seemingly this process cannot now obtain as the way appears to be obscured by the amendment to Article 4 of the Constitution of the State of Maine establishing a people's veto through the optional referendum.

It seems that in no reasonable manner can the revision of the statutes be accomplished except in a special session.

Doubtless it would be superfluous to go into the details of the act establishing the optional referendum but some reason should be given to the citizens of the State why this special session is called—at more or less expense and inconvenience—and why if allowed to go over to the next Legislature the matter might entail still greater expense and confusion.

The constitutional amendment provides that no act or joint resolution of the Legislature shall take effect until 90 days after the recess of the Legislature—with certain exceptions in an emergency clause.

It seems to be accepted that the recess of the legislature is the time intervening between the final adjournment of one legislature to the time of convening the next.

If you had adjourned to this date none of the acts or resolves passed at your regular session would have become effective until 90 days after the final adjournment except those passed with the emergency clause, consequently the final adjournment would not have been accomplished in time to have made your appropriations available until the closing days of the present year.

The work attending the revision of the statutes is increasing continually and it is doubtful if it could be completed at any time until the middle or last of the year succeeding the session of the legislature authorizing the revision.

It does not seem possible that the act of final revision of the statutes can be passed under the emergency clause of the referendum act, because it appears to be a repeal of all the acts and resolves in the previous revision and a re-enactment of practically all of them—and a portion of them apparently are not allowed in the exceptions of the emergency clause either in the repeal or the re-enactment.

Again, if the matter was allowed to go over to the next legislature the revision would not be complete without the laws of 1917; and also, even without the laws of 1917, untold confusion would result, as the legislators in attempting to amend laws would be obliged to refer to the old statutes while the new statutes were ready at hand but not operative until after the expiration of the 90 days period and could not be amended until in force.

The effect of amending the old statutes by the next legislature while the revision of the new statutes was pending might be to create some confusion in the courts because the old statutes would automatically be repealed by the act of revision when it became effective and the validity of the amendment might be questioned.

These are questions which should be decided by the courts, to establish directions for the future.

Possibly it may not be important in any material sense what the decision may be so long as it is made clear and specific on a definite basis—but this does not assist us in the present instance.

To include the 1917 laws would entail additional and heavy expense in the rearrangement of the entire work.

I had hoped that a special session would not be necessary, but in the present circumstances it appears to me that by calling this special session serious complications will be avoided.

If the work went over to next year the delay might be serious, and even then it might be necessary to have a special session or at least an adjourned meeting, which would again delay the legislature of 1917.

It almost seems to me like an endless chain affair, as it does not appear that there can be any period at which the statutes can be brought up to date by any reasonable means without a special session. Perhaps the courts may devise some means for future guidance—to avoid the calling of an extra session—which would save some expense to the State.

It seemed to be well understood by the legislature at its regular session that the call would be necessary, and consequently no further explanation is deemed expedient.

Primarily the call for this session is to complete the revision of the statutes—otherwise the session would not have been called.

Your attention, however, is called to the cash in the Land Reserve School Fund required under Chapter 7, Section 16, which reads as follows:

"The treasurer shall keep a separate account with the Reserved Land in each such township, in which account he shall enter all sums by him received and paid on account thereof; and the balance shall remain in the treasury until such township or tract is by law authorized to receive it and thereupon it shall be paid to the proper officers thereof."

This seems to say that the money unexpended in this fund shall remain in the treasury—although this provision has not always been observed.

On December 31, 1915, there was of actual cash in this fund \$433,132.99 and that is the figure at which the fund stood on the books on that date. This amount will be increased by the receipts of this year.

In many instances the money may not be needed for a hundred years and possibly some of it may never be demanded. The fund is constantly increasing.

Possibly you will consider the advisability of amending the law to make this money available for the uses of the State or promote legislation for some investment to be made with the fund. It does not seem to me expedient that this money shall lie idle in the treasury and furthermore consideration might be given to the question of whether or not in its present state it is a menace.

A full report of this account will be submitted by the Treasurer of State.

By urgent request a petition for the creation of a new Harbor Commission for the City of Portland and South Portland and authorizing extension of the present harbor lines of Portland is herewith submitted and it speaks for itself.

The urgency of the request is the only reason for its being presented to you at this time. In view of the short time intervening between this and the next regular session of the Legislature, no recommendation for any legislation seems necessary.

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### ACTS AND RESOLVES OF SPECIAL SESSION

Augusta, Maine, Sept. 30, 1916.

*To the President of the Senate and Speaker of the House of Representatives:*

I herewith transmit a list of Acts and Resolves passed during the present Session of the Legislature and approved by me, numbering four Acts and two Resolves.

I have no further communication to make.

(Signed) OAKLEY C. CURTIS,

Governor.

NOTE: The above includes the revision of the Statutes and the repealing act.

STATE OF MAINE.

A Proclamation by the Governor

54 HOUR LAW REFERENDUM

Whereas, section seventeen of part third of article four of the Constitution as amended provides, "Upon the written petition of not less than ten thousand electors, addressed to the governor and filed in the office of the secretary of state within ninety days after the recess of the legislature, requesting that one or more acts, bills, resolves or resolutions, or parts thereof, passed by the legislature, but then not in effect by reason of the provision of the preceding section, be referred to the people, such acts, bills, resolves, or resolutions, or part or parts thereof as are specified in such petitions shall not take effect until thirty days after the governor shall have announced by public proclamation that the same have been ratified by a majority of the electors voting thereon at a general or special election.

As soon as it appears that the effect of an act, bill, resolve, or resolution or part or parts thereof has been suspended by petition in manner aforesaid, the governor by a public proclamation shall give notice thereof and of the time when such measure is to be voted upon by the people, which shall be at the next general election not less than sixty days after such proclamation, or in case of no general election within six months thereafter the governor may and if so requested in said written petition therefor shall order such measure submitted to the people at a special election not less than four nor more than six months after his proclamation thereof."

And Whereas, the legislature convening upon the first Wednesday of January in the year of our Lord one thousand nine hundred and fifteen, passed and the governor approved "AN ACT RELATIVE TO THE HOURS OF EMPLOYMENT OF WOMEN AND MINORS."

And Whereas, upon the above named measure, written petitions for a referendum have been duly filed in accordance with section seventeen of part third of article four of the Constitution as amended and hereinabove quoted;

Now, Therefore, I, Oakley C. Curtis, Governor of the State of Maine, in accordance with said amended provisions of the Constitution declare that the above named measure is suspended and I do hereby designate the second Monday in September, being the eleventh day of said month in the year of our Lord one thousand nine hundred and sixteen, as the time on which the measure aforesaid shall be voted upon by the people of the state.

IN WITNESS WHEREOF, I have caused the seal of the State to be hereunto affixed, at Augusta, this tenth day of August in the year of our Lord one thousand nine hundred and fifteen, and in the year of the Independence of the United States, the one hundred and fortieth.

OAKLEY C. CURTIS.

[SEAL]

By the Governor

JOHN E. BUNKER,  
Secretary of State.

## STATE OF MAINE.

**A Proclamation by the Governor  
SPECIAL PRIMARY ELECTION**

To The Mayors and Aldermen of the Several Cities, Selectmen of the Several Towns and Assessors of the Several Plantations of the State of Maine.

## GREETING:

Whereas, a vacancy now exists in the representation of this State in the Senate of the United States, by the death of Hon. Edwin C. Burleigh, of Augusta, who was elected to that office for the term of six years by the legislature of nineteen hundred and thirteen, and

Whereas, the Constitution of the United States provides that when vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies, and

Whereas, the laws of Maine, in accordance with said provision of the Constitution of the United States, provide that whenever a vacancy occurs in the representation of the State in the Senate of the United States, the governor shall issue his proclamation for an election to fill the same, and

Whereas, the governor has, by his writ of election issued this day, designated the fourth Monday of July next, being the twenty-fourth day of said month, as the day on which an election to fill the aforesaid vacancy shall take place, and

Whereas, the laws of the State of Maine provide that all nominations of candidates for the office of United States Senator shall be made at and by primary elections, and that when special elections are to be held for any office as required or permitted by law, primary elections for the nomination of candidates to be voted for thereat shall be ordered by the governor by proclamation, and he shall therein fix the time within which nomination papers shall be filed.

THEREFORE, you are hereby directed and required, in the name of the State of Maine, to notify and warn all legally qualified voters to attend at the regular voting places in the several cities, towns and plantations in the State on the fourth Monday of July, nineteen hundred and sixteen, being the twenty-fourth day of said month, for the purpose of voting for persons to be nominated by their respective political parties as candidates for the office of United States Senator at the election to be held on the eleventh day of September next as aforesaid, and Wednesday the fifth day of July is hereby fixed as the time within which nomination papers shall be filed with the Secretary of State by such candidates as desire their names to appear upon the primary ballot.

And you, the said Mayors, Aldermen, Selectmen and Assessors in conducting said primary election, and in making your record and returns of the same, are hereby directed to fully comply with all the provisions of the law relating to the nomination of candidates at primary elections and known as the Primary Election Law.



[SEAL]

Given at the Executive Chamber, at Augusta, this twenty-eighth day of June, in the year of our Lord, one thousand nine hundred and sixteen, and of the Independence of the United States of America the one hundred and fortieth.

OAKLEY C. CURTIS,  
Governor.

By the Governor,  
JOHN E. BUNKER,  
Secretary of State.

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STATE OF MAINE  
WRIT OF ELECTION

To the Mayors and Aldermen of the Several Cities, Selectmen of the Several Towns and Assessors of the Several Plantations of the State of Maine.

GREETING:

Whereas, a vacancy now exists in the representation of this State, in the Senate of the United States, by the death of Hon. Edwin C. Burleigh of Augusta, who was elected to that office for a term of six years by the legislature of 1913, and

Whereas, the Constitution of the United States provides that when vacancies happen in the representation of any State in the Senate, the executive authority of such state shall issue writs of election to fill such vacancies, and

Whereas, the laws of Maine in accordance with said provision of the Constitution of the United States, provide that whenever a vacancy occurs in the representation of the State in the Senate of the United States, the Governor shall issue his proclamation for an election to fill the same,

THEREFORE, you are hereby directed and required in the name of the State of Maine, to notify and warn the inhabitants of your respective cities, towns and plantations aforesaid, in the manner in which the law directs, who are duly qualified to vote for Governors, Senators and Representatives, to assemble on the second Monday of September next, being the eleventh day of said month, to give in their vote in said meetings for United States Senator to fill said vacancy.

And you, the said Mayor, Aldermen, Selectmen and Assessors, in conducting said election and in making your records and returns of the same, are hereby directed to fully comply with all the provisions of the law relating to the election of National, State, District and County officers, and known as the Australian Ballot Law.

[SEAL]

Given at the Executive Chamber at Augusta, this twenty-eighth day of June in the year of our Lord one thousand nine hundred and sixteen, and of the Independence of the United States of America the one hundred and fortieth.

OAKLEY C. CURTIS,  
Governor.

By the Governor,  
JOHN E. BUNKER,  
Secretary of State.

## STATE OF MAINE

## A Proclamation by the Governor

## SPECIAL LEGISLATIVE SESSION

Whereas, the Commissioner appointed under Chapter 237 of the Resolves of 1915 to complete the sixth revision of the general and public laws of the State has completed his work and is now ready to submit the final draft of such revision to the Legislature, and

Whereas, the amendment to article four of the Constitution of the State, establishing a people's veto through the optional referendum, makes it extremely important that any general revision of the statutes be submitted to the Legislature for acceptance at least ninety days prior to its regular session; said amendment to the Constitution not seeming to permit the adoption of such revision under the emergency clause, and

Whereas, the provisions of section sixteen of Chapter 7 of the revised statutes, requiring that the balance of the sum received on account of Lands Reserved for Public Uses shall remain in the treasury, have become embarrassing, and the public interests seem to require some legislative action which will permit the use of the money now in the treasury to the credit of this account, and

Whereas, the inhabitants of the city of Portland desire to present petitions to alter the harbor line of Portland harbor, which is a matter of vital importance to the shipping interests of this State and one that demands the early and careful consideration of the Legislature:

In consideration whereof, I, Oakley C. Curtis, Governor of the State of Maine, by virtue of the power vested in me by the Constitution, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol, in Augusta, on Friday, the 29th day of September, 1916, at ten o'clock in the forenoon, in order to receive such communication as may then be made to them, and to consult and determine on such measures as in their judgment will best promote the welfare of the State.

In testimony whereof, I have hereunto set my hand and caused the Seal of the State to be affixed.

[SEAL]

Done at Augusta, this thirteenth day of September, in the year of our Lord, 1916, and of the Independence of the United States of America, the 141st.

OAKLEY C. CURTIS,  
Governor.

By the Governor,  
JOHN E. BUNKER,  
Secretary of State.

STATE OF MAINE

A Proclamation by the Governor

RATIFICATION OF "BRIDGE BILL"

Whereas, Chapter 319 of the Public Laws of 1915 entitled "An Act to Provide for State and County Aid in the Construction of Highway Bridges," was referred to the voters at the State election, held September 11th, 1916, in accordance with provisions of section 14 of said act, and

Whereas, the returns filed in the office of the Secretary of State and examined by the Governor and Council show that a majority of the votes cast thereon were in favor of the ratification of said act; 96,677 votes being in the affirmative and 14,138 in the negative.

Now, Therefore, I, Oakley C. Curtis, Governor of the State of Maine, in pursuance of further provisions of said section, hereby declare said measure adopted, to take effect and become a law on the first Wednesday of December, 1916.

IN WITNESS WHEREOF, I have caused the Seal of the State to be hereunto affixed at Augusta this twenty-eighth day of September, in the year of our Lord, one thousand nine hundred and sixteen and of the Independence of the United States of America the one hundred and forty-first.

OAKLEY C. CURTIS,  
Governor.

[SEAL]

By the Governor,  
JOHN E. BUNKER,  
Secretary of State.

STATE OF MAINE

A Proclamation by the Governor

RATIFICATION OF THE 54-HOUR LAW

Whereas, Chapter 350 of the Public Laws of 1915 entitled, "An Act Relative to the Hours of Employment of Women and Minors," was referred to the people under the Constitutional provisions for referendum, as set forth in sections sixteen and seventeen, part third, of article four of the Constitution of the State of Maine, as amended, and was voted upon at the State election held September eleventh, nineteen hundred and sixteen in accordance with a proclamation issued by the Governor, August 10, 1915, and,

Whereas, the returns filed in the office of the Secretary of State and examined by the Governor and Council show that a majority of the votes cast thereon were in favor of said measure; 95,591 votes being in the affirmative and 40,252 in the negative,

Now, Therefore, I, Oakley C. Curtis, Governor of the State of Maine, by authority of section nineteen, part third, of article four of the Constitution of the State of Maine, as amended, do issue this proclamation, and declare said measure adopted, to take effect and become a law in thirty days after the date hereof.

[SEAL]

IN WITNESS WHEREOF, I have caused the Seal of the State to be hereunto affixed at Augusta, this twenty-eighth day of September, in the year of our Lord, one thousand nine hundred and sixteen and of the Independence of the United States of America the one hundred and forty-first.

OAKLEY C. CURTIS,  
Governor.

By the Governor,  
JOHN E. BUNKER,  
Secretary of State.

## APPENDIX.

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Reference table showing what general laws have been affected by the Public Laws of 1917.

### Chapter 1.

State Paper. Kennebec Journal. Chap. 149, Resolves 1911 Repealed.

### Chapter 2.

Savings Banks. Compensation of Trustees. R. S. Chap. 52, § 19 amended.

### Chapter 3.

County Commissioners Court. Washington County, R. S. Chapter 83, § 5, Par. 16 amended.

### Chapter 4.

Savings Banks and Trust Companies. Duplicate Deposit Books. R. S. Chap. 52 Section 26, amended.

### Chapter 5.

Trust Companies. Increase of Capital Stock. R. S. Chapter 52, § 77 amended. §§ 63-71 affected.

### Chapter 6.

Trust Companies. False Reports. R. S. Chap. 52, §73, amended.

### Chapter 7.

Title by Descent. R. S. Chapter 80, §19, amended.

### Chapter 8.

Minors, Care and custody. R. S. Chap. 64, §45 amended.

### Chapter 9.

Fraternal Benefit Societies. Family protection. R. S. Chap. 54 Extended.

### Chapter 10

Sheriffs. Bonds. R. S. Chapter 85, § 1, amended.

### Chapter 11.

Contingent Remainders. Sale of Real Estate, Chap. 78, § § 4 and 5 amended.

### Chapter 12.

Fire Insurance Companies. Retiring of Guaranty Capital. R. S. Chap. 53 §56, amended.

### Chapter 13.

Burial Permits. R. S. Chap. 118, § 20, amended.

## Chapter 14.

Old Home Week. Chapter 40, § 38, amended.

## Chapter 15.

Centennial Week. 1920. Observance. .

## Chapter 16.

Officers. Assaults and interference. R. S. Chap. 124, §23, amended.

## Chapter 17.

Wills. R. S. Chap. 79, Section 1, amended.

## Chapter 18.

Loan and Building Associations. Duplicate Passbooks, R. S. Chap. 52 Extended.

## Chapter 19.

Industrial Banks. New Provision. R. S. Chapter 52 extended § § 47-57 made applicable.

## Chapter 20.

Fares. Penalty for Evading. R. S. Chap. 57, § 8, amended.

## Chapter 21.

Savings Banks. Investment in certain corporation bonds. R. S. Chap. 52, §27, Sub-section 3, amended.

## Chapter 22.

Scallops. Close time R. S. Chap. 45, §67, amended.

## Chapter 23.

Lobster licenses. R. S. Chap. 45, §18, amended.

## Chapter 24.

Taxation. Duties of State Board of Assessors, R. S. Chap. 9, §10, amended.

## Chapter 25.

Insurance Agents. R. S. Chap. 53, § § 121 and 122, amended.

## Chapter 26.

Administrators. Powers, R. S. Chapter 68, §35, amended.

## Chapter 27.

Insurance Companies. Reserves. R. S. Chap. 53, §88, amended.

## Chapter 28.

Public Utilities Commission. Review of Rulings. R. S. Chap. 55, §55, amended.

## Chapter 29.

Vital Statistics. R. S. Chapter 64, §28, amended.

## Chapter 30.

Loan and Building Associations. R. S. Chapter 52, § 107 amended.

## Chapter 31.

Judges of Probate. Increased powers. R. S. Chapter 67, additional.

## Chapter 32.

Roads. Cooperation with Federal government. New Provision.

## Chapter 33.

Weights and Measures. R. S. Chap. 48, § 6 extended.

## Chapter 34.

Railroad Commissioners. Revision of Decrees. R. S. Chap. 55 § 57, amended.

## Chapter 35.

Street Railroads. Approval of location. R. S. Chap. 58, § 8, amended.

## Chapter 36.

Common Carriers. Fares. New Provision.

## Chapter 37.

Railroad Crossings. Highways. R. S. Chap. 24, § 30.

## Chapter 38.

Highway Crossings of Railroads. R. S. Chap. 24, § 34 amended.

## Chapter 39.

Salaries. County Commissioners, R. S. Chap. 117 Section 42, amended.

## Chapter 40.

Marriage of Feeble Minded and Insane. R. S. Chapter 64, § 2, amended.

## Chapter 41.

Administrators. R. S. Chapter 68, §34, amended.

## Chapter 42.

Railroad Companies. Taxation R. S. Chapter 9, § 27, amended.

## Chapter 43.

Secondary Schools. Inspection. R. S. Chap. 16, § 76 amended.

## Chapter 44.

Public Utilities. Change of rates. New Provision.

## Chapter 45.

Savings Institutions. Deposits. R. S. Chap. 52, § 27.

## Chapter 46.

Inspection of safeguards and repairs. R. S. Chap. 30, §39.

## Chapter 47.

Purity of Elections. R. S. Chap. 7, Additional.

## Chapter 48.

Railroads. Physical connection and auxiliary service. New Provision.

## Chapter 49.

Railroads. Inspection. R. S. Chap. 56, § 48, amended.

## Chapter 50.

Grade Crossings. Warning signals. New Provision. See R. S. Chap. 57, § 79.

## Chapter 51.

School Agents. R. S. Chapter 16, §117.

## Chapter 52.

Real Estate. Definition for taxation. R. S. Chap. 10, § 3.

## Chapter 53.

Registration. Manufacturers of Motor Vehicles. R. S. Chap. 26, §24, amended.

## Chapter 54.

Motor Vehicles Defacing identification marks. New Provision. See R. S. Chap. 26, § 15.

## Chapter 55.

Boards of registration. R. S. Chap. 5, § § 5 and 40, amended.

## Chapter 56.

Temporary Loans. Procurement by County Commissioners. R. S. Chap. 83, § 21.

## Chapter 57.

Decoration of Graves by cities and towns. New Provision.

## Chapter 58.

By-laws of Towns. Removal of Snow. R. S. Chapter 4, § 98, Par. 6 and 7 amended.

## Chapter 59.

Burial expenses of Soldiers and Sailors. R. S. Chapter 4, § § 51 and 52.

## Chapter 60.

Teachers' associations. R. S. Chap. 16, § 110.

## Chapter 61

Sealers of Weights and Measures. R. S. Chapter 48, § 8 amended.



## Chapter 62.

Reconstruction of School Buildings. R. S. Chap. 16, §14 amended.

## Chapter 63.

Insurance Brokers. R. S. Chapter 53, §125, amended.

## Chapter 64.

Normal Schools. Annual Appropriation. R. S. Chapter 16, §146, amended.

## Chapter 65.

Schools. Unorganized Townships. R. S. Chapter 16, § 118 amended.

## Chapter 66.

Non-resident Fishing License. New Provision.

## Chapter 67.

Schools. Payment of Tuition by Towns. R. S. Chapter 16, § 75, amended  
§ § 85 and 86 affected.

## Chapter 68.

Voting. Challenge. R. S. Chap. 5, § 24, amended § 29 affected.

## Chapter 69.

Boards of Registration. Sessions. R. S. Chapter 5, § 19 amended.

## Chapter 70.

Street Railroads. Extension of Charters. R. S. Chap. 58, §14, amended.

## Chapter 71.

Smelt Fishing. R. S. Chapter 45, §74, amended.

## Chapter 72.

Indians. Relief. New Provision.

## Chapter 73.

Trial Terms Supreme Judicial Court. Oxford. R. S. Chapter 82, § 51  
Par. 10, amended.

## Chapter 74.

Charitable and Correctional Institutions. Reports. New Provisions. R.  
S. Chap. 3, § 31; Chap. 142, § § 8, 12, 60; Chap. 144, § 13; Chap., 145, § §  
7 and 47; Chapter 146, § 6, amended.

## Chapter 75.

Public Utility Accounts. R. S. Chap. 55, § 22, amended.

## Chapter 76.

Branch Railroad Tracks. R. S. Chap. 56, § 30, amended.

## Chapter 77.

Industrial Education. R. S. Chap. 16, § 139, amended.

## Chapter 78.

Inspectors of Buildings. Election. R. S. Chap. 30, § 25, amended.

## Chapter 79.

Teachers' Pensions. R. S. Chap. 16, § 176, amended.

## Chapter 80.

State Board Charities and Corrections. R. S. Chap. 147, § § 2 and 9, amended.

## Chapter 81.

Savings Banks. Investment of Deposits. R. S. Chap. 52, § 27 amended.

## Chapter 82.

Deposits in Banking Institutions. R. S. Chap. 52, § 24, amended.

## Chapter 83.

Savings Banks. Securities. R. S. Chap. 52, § 43, amended.

## Chapter 84.

Bastard Children. Maintenance. R. S. Chap. 102, §7, amended.

## Chapter 85.

Certificates of Incorporation. R. S. Chap. 62, §4, amended New Provision.

## Chapter 86.

Probate of Foreign Wills. New Provision.

## Chapter 87.

Advertising for cities and towns. R. S., Chap. 4, §59, amended.

## Chapter 88.

Reformatory for Women. Insane Inmates. R. S., chap., 139, amendatory and additional. § § 8, 9, and 11, made applicable.

## Chapter 89.

Maine Insane Hospital. Bond Refund. New Provision.

## Chapter 90.

Insane Patients. Leave of Absence. R. S. Chap. 145, §34, amended.

## Chapter 91.

Forged Signatures. Limitation of Actions. R. S. Chap. 52, Additional.

## Chapter 92.

State Funds. Deposit. R. S. Chap. 2, § 62, amended.

## Chapter 93.

Orders of Public Utilities Commission. R. S. Chap. 55, §47, amended.

## Chapter 94.

Blank Writs. Regulation of Issue. New Provision.

## Chapter 95.

Checks and Drafts. Lack of Funds. New Provision. R. S. Chap. 128, § 13, Repealed.

## Chapter 96.

Extension of Railroads. R. S. Chap. 46, § 14, amended.

## Chapter 97.

Premiums on Official Bonds. R. S. Chap. 53, § 157, amended.

## Chapter 98

Pollution of Domestic Water. New Provision.

## Chapter 99.

Lobsters. Prosecution of violations of law. R. S. Chap. 45, §24, amended.

## Chapter 100.

Marriage Intentions. Recording. R. S. Chap. 64, §4, amended.

## Chapter 101.

Bonds for license to sell real estate. R. S. Chap. 76, § 3, amended.

## Chapter 102.

Annual Reports of Public Utilities Commission. R. S. Chap. 3, § 31, amended.

## Chapter 103.

Wearing of Badges. R. S. Chap. 62, §9, amended.

## Chapter 104.

Stockholders. Cashiers of Banks to return list. R. S. Chap. 51, §27. Repealed.

## Chapter 105.

Trespasses on improved lands. R. S. Chapter 129. §19 amended.

## Chapter 106.

Female Children. R. S.Chap. 120, § 27, amended.

## Chapter 107.

County Commissioners Court. R. S. Chap. 83, §5 amended.

## Chapter 108.

Unused Ballots. Disposition. R. S. Chap. 7, § 10.

## Chapter 109.

Boards of Registration. Additional duties. R. S. Chap. 5, Additional.

## Chapter 110.

Mutual Insurance Companies. R. S. Chap. 53, § 57, amended.

## Chapter 111.

Records of Banking Institutions. R. S. Chap. 52, Additional.

## Chapter 112.

Aliens. Registration of information concerning Aliens. New Provision.

## Chapter 113.

Deposits in Savings Institutions. R. S. Chap. 52, §22, amended.

## Chapter 114.

Charitable and Benevolent Institutions. Appropriations. New Provision.  
R. S. Chap. 2, § 82 affected, § 99 Repealed.

## Chapter 115.

Bank Commissioner. R. S. Chap. 52, §1, amended.

## Chapter 116.

County Attorneys. Expenses. R. S. Chap. 138, § 1, amended.

## Chapter 117.

\* Vacancies in Public Office. New Provision.

## Chapter 118.

County Treasurer. Election. R. S. Chap. 13, §1, amended.

## Chapter 119.

Benefits. Life Insurance. R. S. Chap. 53. Additional.

## Chapter 120.

Commitment of Insane. R. S. Chap. 145, § 17, amended.

## Chapter 121.

Real Estate Transfers. Notice by Registers of Deeds. R. S. Chap. 12, § 17, amended. See P. L. 1917, Chap. 299.

## Chapter 122.

Indians. Adoptions in Penobscot Tribe. R. S. Chap. 14, § 13, Additional.

## Chapter 123.

Public Libraries. R. S. Chap. 4, § 81, amended.

## Chapter 124.

Public Libraries. R. S. Chap. 4, § 75, amended.

## Chapter 125.

Librarian. Instruction. R. S. Chap. 4, §82, amended.

## Chapter 126.

Offenses against Public Health, Safety and Policy. R. S. Chap. 130, § 1, amended.

## Chapter 127.

Malicious Mischiefs and Trespasses. R. S. Chap. 129, § 10, amended.

## Chapter 128.

Preservation of Public Property. R. S. Chap. 129, § 4.

## Chapter 129.

Legislative Reference Bureau. New Provision.

## Chapter 130.

State Juvenile Institutions. R. S. Chapter 144, § § 3 and 20; Chapter 117, §29; Chapter 137, §25, amended.

## Chapter 131.

Public Utilities. R. S. Chap. 55 § 50, amended.

## Chapter 132.

Bills of Lading. New Provision.

## Chapter 133.

Executors and Administrators. Limitation of Actions against Estates. R. S. Chap. 67; Chapter 70, §26; Chapter 68, § 44; Chap. 72, § § 9 and 10; Chapter 86, § 95; Chap. 92, § § 14, 15, 20, 21 amended. Chap. 68, § § 42 and 43; Chap. 92, § § 16 and 21 Repealed.

## Chapter 134.

Kindergartens. R. S. Chap. 16, § 30, amended.

## Chapter 135.

Public Utilities. Change in Rates. R. S. Chap. 55, § § 28 and 29, amended.

## Chapter 136.

Debtors. Support in Jail. R. S. Chap. 115, § 82, amended.

## Chapter 137.

Registration of Teachers. New Provision.

## Chapter 138.

Maine Forestry District. R. S. Chap. 8, § 60, amended.

## Chapter 139.

Intelligence Offices. R. S. Chap. 42, §6, amended.

## Chapter 140.

Public Administrators' fund. R. S. Chap. 68, § 31 amended.

## Chapter 141.

Seed. Improvement and Certification. New Provision.

## Chapter 142.

Preservation of Fish. R. S. Chap. 126, § § 1, 8, and 12 amended.

## Chapter 143.

Warehouse Receipts. New Provision.

## Chapter 144.

Corporations. R. S. Chapter 51, Additional.

## Chapter 145.

Grade Crossings. Protection. New Provision. R. S. Chap. 24, § 111, Repealed in part.

## Chapter 146.

Employment of Minors. R. S. Chap. 49, § 21, amended.

## Chapter 147.

Savings Banks. Investments in Railroad Bonds. R. S. Chap. 52, § 27, amended.

## Chapter 148.

Registration of Nurses. R. S. Chap. 18, § § 18 and 23, and Chap. 117, § 53, amended.

## Chapter 149.

Children's Homes and Maternity Hospitals. Licensing. R. S. Chap. 64, § 58 Amended.

## Chapter 150.

Deputy Commissioner of Agriculture. R. S. Chap. 34, § 1, amended.

## Chapter 151.

State Highway Commission. Conveyance of land to E. & N. A. RR. New Provision.

## Chapter 152.

Salaries of Judges of Probate. R. S. Chapter 117, § 38, amended.

## Chapter 153.

Clerk Hire. Androscoggin Registry of Deeds. R. S. Chap. 117, § 45, Par. 2, amended.

## Chapter 154.

Highways. State Aid. New Provision. R. S. Chap. 25, §§ 20 and 21, limited.

## Chapter 155.

Nuisances. R. S. Chapter, 23, §§ 1, 2 and 4, amended.

## Chapter 156.

Sentences. R. S. Chap. 127, § 42, Repealed; Chapter 136, § 27, Chapter 137, § 1, amended.

## Chapter 157.

Disorderly Conduct. R. S. Chap. 57, §§ 70 and 71 amended.

## Chapter 158.

Bastardy Cases. Discharge from imprisonment. R. S. Chap. 102, § 10, amended.

## Chapter 159.

Diseased Horses. Sale Prohibited. New Provision.

## Chapter 160.

Live Stock Sanitary Commissioner. R. S. Chap. 35, § 1, 13 and 20 amended.

## Chapter 161.

Guardians. R. S. Chap. 72, § 4, Par. 1, amended.

## Chapter 162.

Attachment of Mortgaged Property. R. S. Chap. 86, §§ 44, 45, 46, 47, Additional.

## Chapter 163.

Taxes. Collection in unincorporated places. R. S. Chap. 11, § 1, amended.

## Chapter 164.

Illegal Voting. R. S. Chap. 7, § 116, amended.

## Chapter 165.

Libraries. R. S. Chap. 4, § 76, amended.

## Chapter 166.

Ancient Burying Grounds. R. S. Chap. 21, § 3, amended.

## Chapter 167.

Salaries of County Officials. Monthly Payment, New Provision. R. S. Chap. 117, §§ 38 to 44 amended.

## Chapter 168.

Petitions for Sale of Real Estate. R. S. Chapter 76, § 4, amended.

## Chapter 169.

Real Estate Attachments. Discharge. New Provision.

## Chapter 170.

Justices Supreme Judicial Court. Expenses. R. S. Chap. 117, § 5, amended.

## Chapter 171.

Registration of Motor Vehicles of Non-Residents. R. S. Chap. 26, § 36, amended.

## Chapter 172.

Expenses of Legislature and other state departments. New Provision.

## Chapter 173.

County Commissioners. Expenses. R. S. Chap. 117, § 42, amended.

## Chapter 174.

Grade Crossings. Speed of Trains. R. S. Chap. 57, § 79, amended.

## Chapter 175.

Minor Children of Divorced Parents. R. S. Chap. 65, § 14, amended.

## Chapter 176.

Licensing of Children's Homes. R. S. Chap. 64, § 58, amended.

## Chapter 177.

Soldiers and Sailors. Discrimination because of Uniform. New Provision.

## Chapter 178.

Fungous and Insect Pests. Control. New Provision.

## Chapter 179.

State Superintendent of Schools. Salary of Clerk. R. S. Chap. 117, § 20, amended.

## Chapter 180.

Lobster Law. R. S. Chap. 45, § 28 amended.

## Chapter 181.

Libels for Divorce. Time for Hearing. R. S. Chap. 65, § 8 amended.

## Chapter 182.

Lobster Licenses. R. S. Chap. 45, § 17, amended.

## Chapter 183.

State Assessors. Salary of Clerk. R. S. Chap. 117, § 32 amended.

## Chapter 184.

Dividends of Foreign Fire Insurance Companies. New Provision.



## Chapter 185.

Duties of County Attorneys. New Provision.

## Chapter 186.

Vocational Education. New Provision.

## Chapter 187.

Appropriation for Purposes of War. New Provision.

## Chapter 188.

Superintendents of Schools. R. S. Chap. 16, § § 55, 56, 59, 61 and 62, amended.

## Chapter 189.

Sale of Timber of Reserved Lands. R. S. Chap. 8, § 17, amended.

## Chapter 190.

Inspection of Milk. R. S. Chap. 37, § § 12 and 13 amended. New Section added.

## Chapter 191.

Service of Writs on Corporations. R. S. Chap. 86, § 19, amended.

## Chapter 192.

Mortgages of Real Estate. R. S. Chap. 95, § § 4, 5 and 7 amended.

## Chapter 193.

Sales of Real Estate. License by Court. R. S. Chap. 76, § 1, Par. 4, amended.

## Chapter 194.

County Attorneys. Salaries and Expenses. R. S. Chap. 117, § § 37 and 45 amended.

## Chapter 195.

Board of Prison Commissioners. New Provision. R. S. Chap. 142, § § 4, 11 and 52 Repealed.

## Chapter 196.

State Treasurer. Increase of Salary. R. S. Chap. 117, § 16 amended.

## Chapter 197.

Department of Health, New Provision. R. S. Chap. 19 in part repealed.

## Chapter 198.

Unclaimed Baggage, R. S. Chap. 58, § 24; Chap. 56, § § 48, 51-54 amended. R. S. Chap. 57, § § 8, 10-22-25, 28-29, 54, 64-65; R. S. Chap. 59, § § 17-18, amended.

## Chapter 199.

State Auditor. Salary Increased. R. S. Chap. 117, § 17, amended.

## Chapter 200.

Detectives. R. S. Chap. 132, §13, amended.

## Chapter 201.

Commissioner of Agriculture. Term of office. R. S. Chap. 34, § 1, amended.

## Chapter 202.

Army and Navy Veterans. R. S. Chap. 29, § 9, amended.

## Chapter 203.

Probation Officers. R. S. Chap. 137, § 10, amended.

## Chapter 204.

Temporary Loan by State Treasurer. New Provision.

## Chapter 205.

Establishment of Polling Districts in Towns. New Provision. R. S. Chap. 7, § 12 Repealed. Provisionally.

## Chapter 206.

Insurance Commissioner. Term of office. R. S. Chap. 53, § 83 amended.

## Chapter 207.

Weights and Measures. R. S. Chap. 48, § 24, amended.

## Chapter 208.

Building and Loan Associations. Capital. R. S. Chap. 52, § 100, amended.

## Chapter 209.

Intoxicating Liquors. Enforcement of Law. R. S. Chap. 127, amended. Additional Provision.

## Chapter 210.

Parlor Cars. Taxation. R. S. Chap. 9, § 33, amended.

## Chapter 211.

Trial List. Supreme Judicial Court for Aroostook County. R. S. Chap. 82, § 51, amended.

## Chapter 212.

Public Libraries. R. S. Chap. 4, § 78, amended.

## Chapter 213.

Motor Vehicles. R. S. Chap. 26, §§ 16, 38, 39, and 40 amended.

## Chapter 214.

Dealers in Nursery Stock. R. S. Chap. 38, § 7, amended.

## Chapter 215.

Bounty on Bears. New Provision.

## Chapter 216.

Stenographers. Supreme Judicial Court. R. S. Chap. 117, § 10.

## Chapter 217.

Deadly Weapons. License. New Provision.

## Chapter 218.

Bureau of Markets. New Provision.

## Chapter 219.

Game Laws. Revision. R. S. Chap. 33, Repealed.

## Chapter 220.

..Banking Department. R. S. Chap. 117, § 19, amended.

## Chapter 221.

Cruelty Officers. R. S. Chap. 126, § 65, amended.

## Chapter 222.

Mothers' Pensions. New Provision.

## Chapter 223.

Clerk Hire in Sagadahoc County Offices. R. S. Chap. 117, § 45, amended.

## Chapter 224.

Insurance Rates. Approval by Commissioner. New Provision.

## Chapter 225.

Discrimination by reason of religious creed. New Provision.

## Chapter 226.

State Contingent Fund. R. S. Chap. 2, § §85 and 87, amended.

## Chapter 227.

Trial Term of Supreme Judicial Court. R. S. Chap. 52, § 51, amended.

## Chapter 228.

Instruction in Public Schools. Birds and animals. R. S. Chap. 16, § 108, amended.

## Chapter 229.

Tuition in Secondary Schools. R. S. Chap. 16, § 85, amended.

## Chapter 230.

State Employees. Compensation for Injuries. New Provision.

## Chapter 231.

Lumbering. Intention to Defraud. R. S. Chapter 128, § 12 Repealed.

## Chapter 232.

State school for Girls. Commitment. R. S. Chap. 144, § 20, amended.

## Chapter 233.

Lobster Industry. R. S. Chap. 45, § 18, amended.

## Chapter 234.

Registration of Motor Vehicles, R. S. Chap. 26, § 23, amended.

## Chapter 235.

Horses and Cattle. Importation. R. S. Chap. 35, §§ 10, 17 and 18 amended.

## Chapter 236.

Clerk Hire. Oxford Registry of Probate. R. S. Chap. 117, § 45, Par 10, amended.

## Chapter 237.

Registration of voters. R. S. Chap. 5, § 20, amended.

## Chapter 238.

Election Clerks. R. S. Chap. 7, § 13, amended.

## Chapter 239.

Clerk Hire. County Attorney of Penobscot. Chap. 117, § 45, amended.

## Chapter 240.

State Departments. Estimates of Income and Expenditures. R. S. Chap. 2, §§ 92, 93, and 94, amended.

## Chapter 241.

Employees Compensation. Fire Departments. R. S. Chap. 50, § 6, § 4, amended.

## Chapter 242.

Clerk Hire. Municipal Court of Portland. R. S. Chap. 117, § 45, amended.

## Chapter 243.

County Attorney. Tenure of Office. R. S. Chap. 84, § 16, amended.

## Chapter 244.

Commissioner of Inland Fisheries and Game. New Provision, R. S. Chap. 33, § 1, Repealed. Chap. 33 and Chapter 117, § 24, amended.

## Chapter 245.

Adoption of Children. R. S. Chap. 72, § 38, amended.

## Chapter 246.

Murder Cases. Copy of Proceedings. R. S. Chap. 136, §29, amended.

## Chapter 247.

State Normal School. Admission of Students. R. S. Chap. 16, § 143, amended.

## Chapter 248.

Attendance Officers. Substitution for Truant Officers. New Provision. R. S. Chap. 16, § § 68 and 69, amended.

## Chapter 249.

Superior Courts. Stenographers. R. S. Chap. 117, § 11, amended.

## Chapter 250.

Salaries. R. S. Chap. 117, § 36, amended.

## Chapter 251.

Sinking Fund. Cities and Towns. R. S. Chap. 4, § 60 amended.

## Chapter 252.

Medical Examiners. R. S. Chap. 141, § § 1, 2 and 3, amended.

## Chapter 253.

Collection of Taxes in Unorganized Townships. New Provision.

## Chapter 254.

Motor Vehicles. Jitney Busses. New Provision. R. S. Chap. 26, § 14, made applicable.

## Chapter 255.

Lobsters. R. S. Chap. 45, § 36 amended.

## Chapter 256.

Motor Vehicles. Unnecessary noise. New Provision.

## Chapter 257.

Negotiable Instruments. New Provision.

## Chapter 258.

Highways. Mill Tax Fund. R. S. Chap. 25, amended.

## Chapter 259.

Military Law. Revision. New Provision. R. S. Chap. 15, Repealed.

## Chapter 260.

Superior Court. Androscoggin County. New Provisions.

## Chapter 261.

School Fund. Sale of Timber and Grass. R. S. Chapter 8, § § 20 and 21, amended.

## Chapter 262.

Steam Engineers and Firemen. Examination. New Provision.

## Chapter 263.

Itinerant Vendors. R. S. Chap. 41, § 14, amended.

## Chapter 264.

State Sanatoriums. R. S. Chap. 146, § 5, amended.

## Chapter 265.

Reformatory for Women. Transfers from Jails. New Provision. R. S. Chap. 142, made applicable.

## Chapter 266.

Succession Taxes. R. S. Chap. 69, § § 1 and 22, amended. § 24 Repealed.

## Chapter 267.

Poor Debtor Disclosures. Jurisdiction granted to Municipal Courts. R. S. Chap. 115, § 23, amended.

## Chapter 268.

Dental Hygienists. New Provision. R. S. Chap. 18, § § 24-41 affected.

## Chapter 269.

Judges of Municipal Courts. Qualifications. New Provision.

## Chapter 270.

Investigation of Fires by Insurance Commissioner. R. S. Chap. 30, § 55 amended.

## Chapter 271.

Discharges of Attachments by Registers of Deeds. R. S. Chap. 86, § 71, amended.

## Chapter 272.

Lights on Vehicles at Night. New Provision.

## Chapter 273.

Suits by parties in military service. New Provision.

## Chapter 274.

Special Deputy Sheriffs. New Provision.

## Chapter 275.

Forts. Appropriation of land. New Provision.

## Chapter 276.

Families of Volunteers. Support. New Provision.

## Chapter 277.

Compensation of Soldiers and Sailors in Volunteer Service.

## Chapter 278.

Maine Home Guard. New Provision.

## Chapter 279.

Clerk Hire in Aroostook County Offices. R. S. Chap. 117, § 45, amended.

## Chapter 280.

Maine Reports. Change in Price. R. S. Chap. 82, § 76, amended.

## Chapter 281.

Lobsters. Transportation. R. S. Chap. 45, §§ 40 and 42 amended.

## Chapter 282.

Leases, R. S. Chap. 99, § 10, amended.

## Chapter 283.

Attorney General. Appropriation for Department. R. S. Chap. 82, § 72, amended.

## Chapter 284.

Defense of State. New Provision.

## Chapter 285.

Live Stock. Exemption from Taxation. R. S. Chap. 10, § 6, Par. 6; R. S. Chap. 9, § 16, amended.

## Chapter 286.

Bonds for License to sell Real Estate. R. S. Chap. 76, amended.

## Chapter 287.

Registration of Motor Vehicles. R. S. Chap. 26, Additional Provision.

## Chapter 288.

Explosives. Keeping. New Provision.

## Chapter 289.

Qualifications of Voters. R. S. Chap. 5, § 2, amended provisionally.

## Chapter 290.

Transportation of Firemen and Policemen by Public Utilities. R. S. Chap. 55, § 34, amended.

## Chapter 291.

Intoxicating Liquors. R. S. Chap. 127, §§ 19, 20, 22, 23, 24, 27, 29, 45, amended.

## Chapter 292.

Salary of Judge of Probate. County of Androscoggin. R. S. Chap. 117, § 38, amended.

## Chapter 293.

Commission of Sea and Shore Fisheries. New Provision. R. S. Chap. 45, § § 1, 2, and 28, amended; R. S. Chap. 117, § 25, Par. 2, amended.

## Chapter 294.

Vehicles transporting intoxicating liquors. Seizure. New Provision.

## Chapter 295.

Liens on Watches, Clocks and Jewelry. New Provision.

## Chapter 296.

Printing of Ballots. R. S. Chap. 7, § 2, amended.

## Chapter 297.

Protection of Neglected Children. R. S. Chap. 64, § § 49, 54, 56 and 57, amended.

## Chapter 298.

Loans. Limitations. R. S. Chapter 40, § 42, Repealed.

## Chapter 299.

Real Estate Transfers. Notice. An Act to Amend an Act. R. S. Chap. 12, § 17, amended. Public Laws, 1917, Chap. 121, amended.

## Chapter 300.

Pensions for Blind. R. S. Chap. 148, § § 13, and 18 amended.

## Chapter 301.

Infectious Diseases. Care and Treatment. R. S. Chap. 19, additional.

## Chapter 302.

Air Rifles. Sale to Minors Prohibited.

## Chapter 303.

Farm Lands Loan Commission. New Provision.

## Chapter 304.

An Act to Amend an Act. Construction of Highway Bridges, State and County Aid. Public Laws, 1915, Chapter 319, amended.

## Chapter 305.

Savings Banks. Investment in Railroad Bonds. R. S. Chap 52, § 27, amended.

## Chapter 306.

Voting. R. S. Chap. 7, § 16, amended.



## REFERENCE TABLE.

## Revised Statutes affected by Public Laws of 1917.

REVISED STATUTES. CHAPTER.	PUBLIC LAWS OF 1917. CHAPTER.
2, 62 .....	Amended by Chapter 92.
2, 82 .....	Affected by Chapter 114.
2, 85 and 87 .....	Amended by Chapter 226.
2, 92, 93 and 94 .....	Amended by Chapter 240.
2, 99 .....	Repealed by Chapter 114.
3, 21 .....	Amended by Chapter 102.
3, 31 .....	Amended by Chapter 74.
4, 51 and 52 .....	Amended by Chapter 59.
4, 59 .....	Amended by Chapter 87.
4, 60 .....	Amended by Chapter 251.
4, 75 .....	Amended by Chapter 124.
4, 76 .....	Amended by Chapter 165.
4, 78 .....	Amended by Chapter 212.
4, 81 .....	Amended by Chapter 123.
4, 82 .....	Amended by Chapter 125.
4, 98, Par. 6 and 7 .....	Amended by Chapter 58.
5, 2 .....	Amended Provisionally by Ch. 289
5, 5 and 40 .....	Amended by Chapter 55.
5, 19 .....	Amended by Chapter 69.
5, 20 .....	Amended by Chapter 237.
5, 24 .....	Amended by Chapter 68.
5, .....	Amended by Chapter 109.
7, 2 .....	Amended by Chapter 296.
7, 10 .....	Amended by Chapter 108.
7, 12 .....	Repealed Provisionally by Ch. 205.
7, 13 .....	Amended by Chapter 238.
7, 16 .....	Amended by Chapter 306.
7, 116 .....	Amended by Chapter 164.
7, .....	Additions by Chapter 47.
8, 17 .....	Amended by Chapter 189.
8, 20 and 21 .....	Amended by Chapter 261.
8, 60 .....	Amended by Chapter 138.
9, 10 .....	Amended by Chapter 24.
9, 16 .....	Amended by Chapter 285.
9, 27 .....	Amended by Chapter 42.
9, 33 .....	Amended by Chapter 210.
10, 3 .....	Amended by Chapter 52.
10, 6, Par. 6 .....	Amended by Chapter 285.
11, 1 .....	Amended by Chapter 163.
12, 17 .....	Amended by Chapter 121.
12, 17 .....	Amended by Chapter 299.
13, 1 .....	Amended by Chapter 118.
14, 13 .....	Additional by Chapter 122.
15, .....	Repealed by Chapter 259.
16, 14 .....	Amended by Chapter 62.
16, 30 .....	Amended by Chapter 134.
16, 55, 56, 59, 61 and 62 .....	Amended by Chapter 188.
16, 68 and 69 .....	Amended by Chapter 248.
16, 75 .....	Amended by Chapter 67.
16, 76 .....	Amended by Chapter 43.
16, 85 .....	Amended by Chapter 229.
16, 85 and 86 .....	Affected by Chapter 67.

16,	108	Amended by Chapter 228.
16,	110	Amended by Chapter 60.
16,	117	Amended by Chapter 51.
16,	118	Amended by Chapter 65.
16,	139	Amended by Chapter 77.
16,	143	Amended by Chapter 247.
16,	146	Amended by Chapter 64.
16,	176	Amended by Chapter 79.
18,	§§ 18 to 23	Amended by Chapter 148.
18,	§§ 24 to 41	Affected by Chapter 268.
19		Repealed in part by Chapter 197.
19		Additional by Chapter 301.
19		Amended by Chapter 166.
21,	3	Amended by Chapter 37.
24,	30	Amended by Chapter 38.
24,	34	Amended by Chapter 38.
24,	111	Repealed in part by Chapter 145.
25,	§§ 6, 7, 10, 20 and 33	Amended by Chapter 258.
25,	20 and 21	Limited by Chapter 154.
25,	35	Repealed by Chapter 258.
26,	14	Made applicable by Chapter 254.
26,	15	Reference by Chapter 54.
26,	23	Amended by Chapter 234.
26,	24	Amended by Chapter 53.
26,	36	Amended by Chapter 171.
26,		Additional Provision by Ch. 287.
26,		Amended by Chapter 213.
26,		Amended by Chapter 202.
29,	9	Amended by Chapter 78.
30,	25	Amended by Chapter 46.
30,	39	Amended by Chapter 270.
30,	55	Repealed by Chapter 244.
33,	1	Amended by Chapter 244.
33		Repealed by Chapter 219.
33		Amended by Chapter 150.
34,	1	Amended by Chapter 201.
34,	1	Amended by Chapter 160.
35,	§§ 1, 13 and 20	Amended by Chapter 235.
35,	10, 17 and 18	Amended and New Section added
37,	12 and 13	by Chapter 190.
38,	7	Amended by Chapter 214.
40,	38	Amended by Chapter 14.
40,	42	Repealed by Chapter 298.
41,	14	Amended by Chapter 263.
42,	6	Amended by Chapter 139.
45,	§§ 1, 2 and 28	Amended by Chapter 293.
45,	17	Amended by Chapter 182.
45,	18	Amended by Chapter 233.
45,	28	Amended by Chapter 180.
45,	28	Amended by Chapter 293.
45,	24	Amended by Chapter 99.
45,	36	Amended by Chapter 255.
45,	40 and 42	Amended by Chapter 281.
45,	67	Amended by Chapter 22.
45,	74	Amended by Chapter 71.
46,	14	Amended by Chapter 96.
48,	6	Additions by Chapter 33.
48,	8	Amended by Chapter 61.
48,	24	Amended by Chapter 207.
49,	21	Amended by Chapter 146.
50,	6, Par. 4	Amended by Chapter 241.
51,	27	Repealed by Chapter 104.
51		Additional by Chapter 144.
51		Amended by Chapter 115.
52,	1	Amended by Chapter 2.
52,	19	Amended by Chapter 113.
52,	22	Amended by Chapter 82.
52,	24	Amended by Chapter 4.
52,	26	

52,	27	Amended by Chapter 305.
52,	27	Amended by Chapter 147.
52,	27	Amended by Chapter 81.
52,	27	Amended by Chapter 45.
52,	27, Sub § 3.	Amended by Chapter 21.
52,	43	Amended by Chapter 83.
52,	§§ 47 to 57.	Made applicable by Chapter 19.
52,	§§ 63-71	Affected by Chapter 5.
52,	72	Amended by Chapter 5.
52,	73	Amended by Chapter 6.
52,	100	Amended by Chapter 208.
52,	127	Amended by Chapter 30.
52,		Additional provisions by Ch. 111.
52,		Extended by Chapter 18.
52,		Extended by Chapter 19.
53,	56	Amended by Chapter 12.
53,	57	Amended by Chapter 110.
53,	83	Amended by Chapter 206.
53,	88	Amended by Chapter 27.
53,	§§ 121 and 122.	Amended by Chapter 25.
53,	125	Amended by Chapter 63.
53,	157	Amended by Chapter 97.
53,		Additions by Chapter 119.
54,		Additions by Chapter 91.
54,		Extended by Chapter 9.
55,	22	Amended by Chapter 75.
55,	§§ 28 and 29	Amended by Chapter 135.
55,	34	Amended by Chapter 290.
55,	47	Amended by Chapter 93.
55,	50	Amended by Chapter 131.
55,	55	Amended by Chapter 28.
55,	57	Amended by Chapter 34.
56,	30	Amended by Chapter 76.
56,	48	Amended by Chapter 49.
56,	§§ 48, 51-54	Amended by Chapter 198.
57,	8	Amended by Chapter 20.
57,	§§ 8-10, 22-25, 28-29, 54, 64-65.	Amended by Chapter 198.
57,	19	Reference by Chapter 50.
57,	§§ 70 and 71.	Amended by Chapter 157.
57,	79	Amended by Chapter 174.
58,	8	Amended by Chapter 35.
58,	14	Amended by Chapter 70.
58,	24	Amended by Chapter 198.
59,	§§ 17-18	Amended by Chapter 198.
62,	4	Amended by Chapter 85.
62,	9	Amended by Chapter 103.
64,	2	Amended by Chapter 40.
64,	4	Amended by Chapter 100.
64,	28	Amended by Chapter 229.
64,	45	Amended by Chapter 8.
64,	§§ 49, 54, 56 and 57.	Amended by Chapter 297.
64,	58	Amended by Chapter 149.
64,	58	Amended by Chapter 176.
65,	8	Amended by Chapter 181.
65,	14	Amended by Chapter 175.
67,		Additions by Chapter 31.
67,		Amended by Chapter 133.
68,	31	Amended by Chapter 140.
68,	34	Amended by Chapter 41.
68,	35	Amended by Chapter 26.
68,	§§ 42 and 43	Repealed by Chapter 133.
68,	44	Amended by Chapter 133.
69,	§§ 1 and 22.	Amended by Chapter 266.
69,	24	Repealed by Chapter 266.
70,	26	Amended by Chapter 133.
72,	4, Par. 1.	Amended by Chapter 161.
72,	§§ 9 and 10.	Amended by Chapter 133.

72, § 38	Amended by Chapter 245.
76, § 1, Par. 4	Amended by Chapter 193.
76, § 3	Amended by Chapter 101.
76, § 4	Amended by Chapter 168.
76, § 4	Amended by Chapter 286.
78, §§ 4 and 5	Amended by Chapter 11.
79, § 1	Amended by Chapter 17.
80, § 19	Amended by Chapter 7.
82, § 51	Amended by Chapter 227.
82, § 51	Amended by Chapter 211.
82, § 72	Amended by Chapter 283.
82, § 76	Amended by Chapter 280.
82, § 76	Amended by Chapter 73.
83, § 5	Amended by Chapter 107.
83, § 5, Par. 16	Amended by Chapter 3.
83, § 21	Amended by Chapter 56.
84, § 16	Amended by Chapter 243.
85, § 1	Amended by Chapter 10.
86, § 19	Amended by Chapter 191.
86, § 71	Amended by Chapter 271.
86, §§ 44, 45, 46 and 47	Additions by Chapter 162.
86, § 95	Amended by Chapter 133.
92, §§ 14, 15, 20 and 21	Amended by Chapter 133.
92, §§ 16 and 21	Repealed by Chapter 133.
95, §§ 4, 5, and 7	Amended by Chapter 192.
99, § 10	Amended by Chapter 282.
102, § 7	Amended by Chapter 84.
102, § 10	Amended by Chapter 158.
115, § 82	Amended by Chapter 136.
115, § 23	Amended by Chapter 267.
116, § 7	Corrected by Chapter 164.
117, § 5	Amended by Chapter 170.
117, § 10	Amended by Chapter 216.
117, § 11	Amended by Chapter 249.
117, § 16	Amended by Chapter 196.
117, § 17	Amended by Chapter 199.
117, § 20	Amended by Chapter 179.
117, § 19	Amended by Chapter 220.
117, § 25, Par. 2	Amended by Chapter 293.
117, § 24	Amended by Chapter 244.
117, § 29	Amended by Chapter 130.
117, § 32	Amended by Chapter 183.
117, § 36	Amended by Chapter 250.
117, §§ 37 and 45	Amended by Chapter 194.
117, § 38	Amended by Chapter 292.
117, § 38	Amended by Chapter 152.
117, § 38-44	Amended by Chapter 167.
117, § 42	Amended by Chapter 173.
117, § 42	Amended by Chapter 39.
117, § 45	Amended by Chapter 279.
117, § 45	Amended by Chapter 223.
117, § 45	Amended by Chapter 236.
117, § 45	Amended by Chapter 239.
117, § 45	Amended by Chapter 242.
117, § 45, Par. 2	Amended by Chapter 153.
117, § 153	Amended by Chapter 148.
118, § 20	Amended by Chapter 13.
120, § 27	Amended by Chapter 106.
124, § 23	Amended by Chapter 16.
126, §§ 1, 8 and 12	Amended by Chapter 142.
126, § 65	Amended by Chapter 221.
127, §§ 19, 20, 22, 23, 24, 27, 29 and 45	Amended by Chapter 291.
127, § 42	Repealed by Chapter 156.
127	Amended and Ad. Pro. by Ch. 209.
127	Repealed by Chapter 231.
128, § 12	Repealed by Chapter 95.
128, § 13	Repealed by Chapter 95.
129, § 4	Amended by Chapter 128.

129,	§ 10	Amended by Chapter 127.
129,	§ 19	Amended by Chapter 105.
130,	§ 1	Amended by Chapter 126.
132,	§ 13	Amended by Chapter 200.
136,	§ 27	Amended by Chapter 156.
136,	§ 29	Amended by Chapter 246.
137,	§ 1	Amended by Chapter 156.
137,	§ 10	Amended by Chapter 203.
137,	§ 25	Amended by Chapter 130.
138,	§ 1	Amended by Chapter 116.
139,	§§ 8, 9 and 11.	Made applicable by Chapter 88.
141,	§§ 1, 2, and 3.	Amended by Chapter 252.
142,	§§ 4, 11 and 52.	Repealed by Chapter 195.
142,	§§ 8, 12 and 60.	Amended by Chapter 74.
142,		Made applicable by Chapter 265.
144,	§§ 3 and 20	Amended by Chapter 130.
144,	§ 13	Amended by Chapter 74.
144,	§ 20	Amended by Chapter 232.
145,	§§ 7 and 47	Amended by Chapter 74.
145,	§ 17	Amended by Chapter 120.
145,	§ 34	Amended by Chapter 90.
146,	§ 5	Amended by Chapter 264.
146,	§ 6	Amended by Chapter 74.
147,	§§ 2 and 9.	Amended by Chapter 89.
148,	§§ 13 and 18.	Amended by Chapter 300.

## RESOLVES.

Chapter 149, Resolves 1911.....Repealed by Chapter 1.

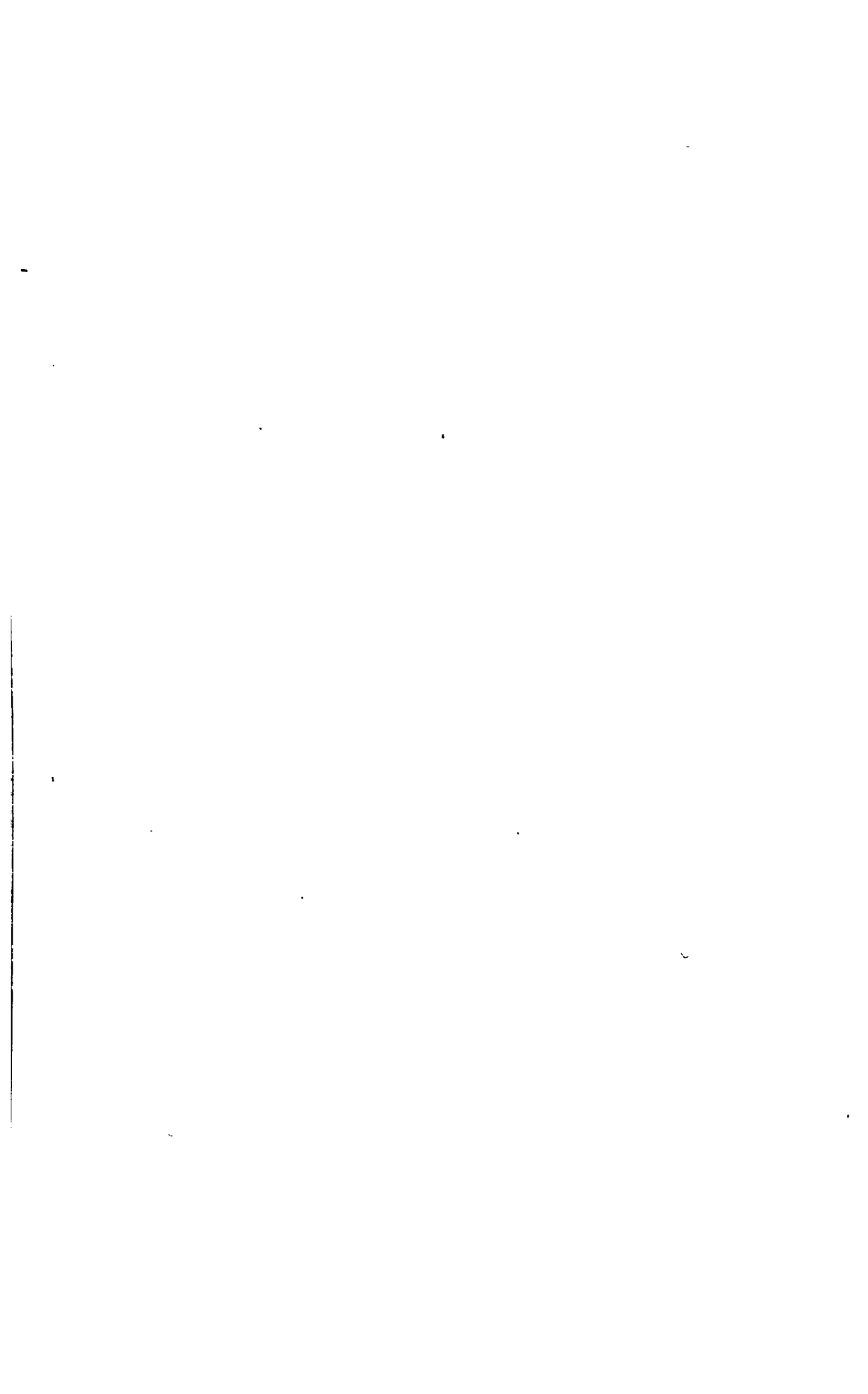
## PUBLIC LAWS.

Public Laws of 1917 affected by Public Laws of 1917.

121 .....Amended by Chapter 299.

Public Laws of 1915 affected by Public Laws of 1917.

319 .....Amended by Chapter 304.



## GOVERNOR MILLIKEN'S INAUGURAL ADDRESS

(Jan. 4, 1917)

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*Gentlemen of the Seventy-eighth Legislature:*

Chosen by the people of Maine for a common task, you and I are set apart together by solemn oath before Almighty God. Not as individual farmers, manufacturers, professional men, but as the directors of a great corporation, we are to plan together for the welfare of the whole people. We shall best show our gratitude to those who sent us here and best deserve their confidence by full recognition of the obligation imposed by this relationship. We are public servants and the public good must be our only interest.

Our government is divided into three branches, legislative, judicial and executive, yet this partition of powers is neither absolute nor complete. My responsibility is primarily executive, but it is my constitutional duty to suggest appropriate legislation and to register approval or disapproval of each act or resolve which you will pass. Therefore, with due deference to your judgment and with no desire to usurp in the slightest degree any proper function of yours, I still frankly accept my share of the responsibility for the final results of your labors and invite your consideration of some important general features of the task before you.

My first suggestion is a word of caution against too much legislation. The enactment of too many laws tends to confuse the people and decrease the general respect for law. You can earn fame and the lasting gratitude of your constituents by making only necessary and well-considered changes in our statutes, and by rejecting everything petty or trivial. You are especially urged to refuse private and special legislation for purposes that can be accomplished under the general law and to decline further to cumber the statutes with special regulations of fishing in particular streams or ponds.

### **The Budget System**

It is your duty to make adequate provision by appropriation from the public treasury for all proper public needs and to provide the necessary funds by just and equitable taxation. State departments and institutions are entitled to your first consideration. Next you should provide reasonably for those charitable and benevolent institutions whose work partakes of the character of public service.

The high cost of all materials and supplies creates a special emergency in connection with this problem. An examination of the requests for appropriations filed with the State Auditor by State departments and charitable and benevolent institutions shows that the total asked for during 1917 and 1918 exceeds by more than \$4,000,000 the total appropriations for all purposes for the years 1915 and 1916.

I urge you to meet this extraordinary situation by careful and painstaking scrutiny of all sources of revenue and all proposed appropriations before any expenditures are finally authorized. Ordinary business sense plainly dictates such a course. Yet in the experience of our Maine Legislatures such knowledge in advance of final decision on resolves appropriating money is not only never obtained but is impossible under our customary procedure. Private and special resolves are introduced on the same footing with those providing for necessary public expenditures. Each is heard by the appropriate legislative committee and each reaches the Governor for approval without review even by one central committee of the Legislature and in the haphazard order of final passage.

The average member of the Legislature desires to consider all proposed appropriations carefully. He finds, however, that during the first weeks of the session very few such matters are heard before committees and little other business is actually done, while the rush and hurry later in the session prevent anything like adequate comprehension of the entire financial program, either by the members of the Legislature or by the general public. The legislators themselves fail to acquire a due sense of the relative importance of each proposed appropriation in the general financial program, and the public cannot definitely fix the responsibility for any particular expenditure.

It is only because of the average high character of the membership of our Legislatures that we in Maine have escaped the full consequences of extravagance and waste which this faulty system has produced elsewhere. A similar method prevails in most states and in the National government. America is, however, the only great democracy in the world that permits the appropriation of public funds by such inefficient and irresponsible methods.

The remedy is found in the executive budget used in Great Britain for more than two hundred years. It is now favored in some states in this country, has actually been adopted in one state and has been advocated for the National Government by at least one recent President during his term of office.

The budget plan is the presentation of a complete financial program by the responsible executive before any expenditures have been authorized by the Legislature. Such presentation must include a summary of available revenue and a detailed schedule of expenditures. Members are thus enabled to judge for themselves the comparative importance of all proposed appropriations. By this system, a member favoring an increase in any particular appropriation beyond the budget estimate must accept a definite responsibility for advocating this added expenditure. It is also evident to every member and to the general public that an increase in any particular expenditure beyond the amount suggested in the budget must be offset by a corresponding decrease in some other item.

A prudent tailor before grasping his shears marks out his patterns carefully upon the available cloth. So the executive presenting a budget to the legislative assembly points out clearly how much revenue may be expected and suggests a corresponding schedule of expenditures. Just as the tailor may shift any pattern before he uses his shears, so the Legislature may



change the size of any particular appropriation but in that case must be reasonable to the people for such deviation from the budget proposal.

Mindful of the special financial emergency which now confronts us, and believing earnestly that a change from our customary method of making appropriations is advisable, I ask you to join with me in an effort to establish a real budget system. No new legislation is necessary at present. I propose a series of informal public hearings conducted jointly by the Governor and Council and the appropriate legislative committee. The representatives of each department or institution asking an appropriation can be invited in turn to present their requirements in such detail as may seem advisable. After about three weeks of such discussion and conference, I hope to present a detailed budget for your consideration. You will then go about the work of making appropriations and will give to the budget suggestions such weight as in each instance you may think proper. The time spent in preliminary hearings will have caused no delay, for, under our customary method of formal committee hearings, practically no business is done during the first four weeks of the average session. Each of you will have had the opportunity to hear every detail of the financial program discussed, a privilege no one member of any previous Legislature ever enjoyed. By constant attendance during January, you will have acquired early in the session that mutual acquaintance which is a necessary basis for useful public service. Through these preliminary hearings, much of the expense of legislative advertising will be eliminated, for in each case where the budget suggestion is accepted by the institution or department, no formal hearing later in the session will be necessary.

This proposal is the fruit of a diligent study of our financial problems in the light of past legislative experience and it is made for the sole purpose of improving our method of managing the public business. By common consent it is the Governor's duty to restrain the total of appropriations within the limits prescribed by reasonable expectation of revenue. The budget plan is not an attempt to enlarge that responsibility; it is only a suggestion that such restraint be preceded by a detailed financial program presented after careful examination of all pertinent facts and after full discussion with each of you and with every interested party.

### State Departments

I commend to your attention the printed reports of the various departments, all of which will soon be available. They contain many suggestions worthy of your careful thought. The departments themselves are the State's machinery for conducting its business and any possible improvements in that machinery should have your earnest consideration. I suggest the wisdom of transferring the duty of collecting the inheritance tax from the Attorney General's office to that of the Treasurer and the establishment of uniform practice in all the counties with any further additions to the law which seem likely to make the collection of all such taxes more certain. The office of the Attorney General ought also to be definitely established at the Capitol. In harmony with what should be the general policy of the State, that is, full-time service for full-time pay, he should be available at his office in

Augusta whenever his official services are needed. It is possible that the adoption of these suggestions would permit the discontinuance of the office of Assistant Attorney General.

It should also be the duty of the Attorney General to appear for the State at the request of the Governor whenever the interests of the people are involved before the Public Utilities Commission or elsewhere.

The State Library should be developed further along the lines for which it was originally intended: that is, as a reference library for the use of the Legislature and the departments. The circulation of traveling libraries in communities having no public library should also be continued and extended.

In view of the present high cost of printing you may well consider whether it is feasible to provide for general circulation a State bluebook containing extracts from the department reports and reduce correspondingly the general circulation of complete reports. Other suggestions regarding department machinery will be mentioned under their appropriate topics.

### **Ballot Reform**

It is the duty of the State to make it easy for every voter freely and secretly to vote for each candidate of his choice. Our present system of voting at elections not only causes confusion through its variance from the method in vogue at the primaries, but is faulty in its requirement of adherence to the party column. The tendency of the party column ballot is to breed carelessness in voting and to encourage the nomination of weak candidates who rely upon the ticket as a whole to pull them through. I earnestly urge that the election ballot be brought into closer similarity with that used in the primaries and that the required use of the party column be eliminated.

Certain other desirable changes connected with our voting machinery may be mentioned in this connection. For example, the employment of paid solicitors to canvass for signatures on primary nomination blanks, initiative or referendum petitions should be forbidden.

The law should be so changed as to abolish the unfortunate twilight zone now existing in the period of three months preceding an election for those who change their place of residence within the State during that time. There is doubtless a sound reason for requiring three months' residence before permitting the citizen to vote at his new home, but until he has acquired this right he ought not to be forbidden to vote in his old home precinct.

The Constitution by implication forbids the establishment of more than one polling precinct in towns of less than four thousand inhabitants. This provision works a hardship on many sparsely settled towns of large area. The constitutional limitation should be removed and the Legislature should be left free to enact laws that will permit towns to establish more than one voting precinct.

I favor granting the right of suffrage to women in Maine on equal terms with men. Now that a large majority of women seem ready to accept this responsibility and the voters of Maine have unmistakably indicated a desire to express their views upon this matter at the polls, submission of the requisite constitutional amendment ought not longer to be delayed.

### Agriculture

I have directed your attention to the business management of the State and suggested certain improvements in the machinery of government. Your responsibility does not stop here. You are also the custodians of the State's material resources and it is your duty to encourage the conservation and development of all such resources by every reasonable and proper means. Our farms constitute the most important single source of material wealth. Farm life must be made profitable, comfortable and attractive to the younger generation. The automobile, the telephone and rural free delivery of mail are doing much in this direction. Encouragement should be given to the further dissemination of all useful, scientific information that will help the farmer to make the most of the soil. State aid to agricultural fairs should be conditional upon and proportional to their value as aids to agriculture. Not only should objectionable features be rigidly excluded but the State should not be expected to aid any so-called agriculture fair which is merely an out-of-door vaudeville entertainment.

Our present antiquated and unjust system of taxation by which intangible personal property virtually evades assessment altogether is a serious discrimination against the farmer whose property is in tangible form, plainly visible to the assessor. A suggestion for correcting this inequality will be presented later in connection with the budget.

The most pressing economic need of our Maine farmers today is the construction and maintenance of suitable roads which shall encourage the coming of summer visitors in larger numbers and reduce the cost of marketing farm products.

### Highways

Beginning with the establishment of a State Highway Commission in 1905, we have rapidly developed a program of road improvement. This now includes State aid to cities and towns for the repair of roads under State supervision, construction of permanent highways at the expense of the State and systematic maintenance of improved highways through an organized patrol service.

These expenditures are abundantly justified by the resulting improvement of the physical condition of our highways. An even greater benefit is found in the rapid development of public sentiment for good roads and the gratifying progress in general knowledge of the essentials of real economy in road building. Formerly we were content to fritter away many thousands of dollars annually in temporary repairs upon the surface of our roads. Now our people are beginning to learn that through the main arteries of traffic permanent highways must be constructed upon solid foundations and thereafter maintained by constant supervision. This advance in public opinion is our most substantial return for the investment thus far made in improved highways.

Public opinion unmistakably demands continuance of the good roads program. Upon this point all are agreed. There is some difference of opinion as to how much the State should spend annually for permanent highways and as to the wisest method of raising the necessary funds. Your chief consid-

eration of this important problem will be, therefore, in connection with the amount of revenue required annually for construction of State highways and the most equitable method of assessing the necessary tax.

There are those who suggest the immediate construction of a complete system of roads including trunk lines and connecting market roads. This plan would require the expenditure of many millions of dollars within three or four years. So great a burden would necessarily be transferred in part to the future by a bond issue. Such a program appeals strongly to the imagination. In the near future we may reach a point of development which would warrant its serious consideration. At present, however, the limits imposed by labor conditions and the equipment of our existing organization permit us to continue only at about the current rate of State highway construction.

Only \$200,000 is still available from the proceeds of State Highway bonds. Beyond that point you must provide new revenue at the rate of about \$500,000 annually if the present program is to be continued. Shall this revenue be provided by a further bond issue requiring an additional amendment to the Constitution or by some form of direct tax? In either case, the tax must finally be paid by the property of the State according to its valuation. The real question is whether an expenditure of \$500,000 annually for permanent roads ought to be paid for out of annual revenues or deferred to the future by means of a bond issue. Unquestionably the bond issue offers the easiest way out because it demands a smaller immediate payment from the public funds. But aside from the delay involved by the necessity of securing a constitutional amendment, I urge you to consider earnestly whether a further bond issue for an expenditure of this size is justifiable.

A study of the rapid per capita increase of public debt in states and municipalities in this country shows clearly the need of more self-restraint in the use of public credit even for permanent and necessary improvements. In my judgment, a public bond issue is only justifiable in case the proposed expenditure for a permanent improvement is large in size compared with the resources of the State and is unlikely to recur at frequent intervals.

It is true that good roads properly constructed and maintained ought to be a permanent improvement, but the expenditure of \$500,000 is proposed as an annual charge, not as a single or occasional outlay for this purpose. Furthermore, this annual expenditure is not large enough to constitute an improper burden upon the property of the State in the form of a direct annual tax.

I, therefore, urge you to provide by direct taxation for continuance of State highway construction at about the existing rate. As compared with an ordinary appropriation from the general fund, a mill tax offers two advantages; it carries its own tag with it so that the people understand the designated purpose of the extra revenue and it affords those in charge of the practical details of road construction reasonable expectation of a constant annual appropriation for this purpose.

It is the duty of the State to take every precaution for the security of the traveling public on the highways. The advent of the automobile has intensified and complicated this problem. I earnestly recommend the passage of a law requiring the display of lights upon all vehicles traversing the highways at night.

In view of the alarming number of recent fatalities resulting from accidents to automobiles at grade crossings, I suggest some further protection of all grade crossings including in the more important cases installation of automatic signals.

Serious injury to some of our improved State highways has already resulted from the use of traction engines and motor trucks carrying excessive loads. You may well consider the wisdom of limiting by law the weight of load which may be transported over an improved State highway.

### **Water Powers**

The water power of the State should be preserved for the benefit of all the people. It must be conserved for the development of cheap hydro-electric power, not only for manufacturing plants but for domestic use even in rural communities and on the farm. You must prevent the placing of obstacles in the path of progress and at the same time guard the people's interest in the water powers so that it will not be released without adequate compensation.

### **Forests**

Steady and constant water power for the use of industry can only be maintained by cherishing the forests which form the natural and essential reservoir of our lakes and rivers. The forests are also the source of supply for our great paper and lumber plants and furnish shelter for wild game. It is important to provide for adequate protection from fire and the ravages of insect pests and also for the development of a wise and continuous policy in line with the best prevailing practice. An essential feature of such a program is the complete separation of the forestry service from the influence of party politics. Every employee should feel that his retention depends upon his efficiency, not upon political influence. I recommend the creation of a non-partisan forestry board of five members whose terms of office shall expire annually in rotation. The members of this board should serve without pay except for actual and necessary expenses and should be charged with the duty of directing the general policy of the State in the management and protection of forests. They should have the power to appoint and control the chief forester and other employees of the service.

A non-paid commission is suggested for this purpose in the light of the experience of other states. It is believed that this plan offers the most likely method of securing the services of high grade men whose time the State could not hope to command on a commercial basis.

### **Fisheries and Game**

The game in the forests and the fish in the lakes and rivers and along the sea coast form an important economic asset of our State. They provide healthful sport and recreation for our own people and bring many summer visitors among us every year. The sea and shore fisheries also furnish support for thousand of families and represent an industry whose total annual product is valued at millions of dollars.

For the preservation of fish and game, the State has enacted certain laws and is annually expending large sums of money. For making this program more effective, the most urgent need is better co-operation on the part of the public in the enforcement of the laws protecting fish and game. For example, the lobster industry, worth millions of dollars in annual revenue, is in danger of actual extinction from lax enforcement of the law regulating the size of lobsters that may be taken. Unless conditions in this industry are improved, we shall be driven before many years to one of two alternatives: close time in some form or entirely unrestricted open time with the abandonment by the State of all efforts either to propagate lobsters or to regulate lobster fishing.

One contributing cause of the present unfortunate condition has been too close association in the popular mind between the warden service and partisan politics. I recommend in place of the existing Department of Inland Fisheries and Game and Sea and Shore Fisheries, an unpaid non-partisan commission of five, who shall determine the general policy and appoint the salaried executive officer for each of the fields now represented by these two departments.

#### **Centennial of Maine's Admission to the Union**

In the year 1920 will come the centennial of the admission of the State of Maine to the Union. You might well provide for the appointment of a committee of distinguished citizens whose duty it shall be to present to the next Legislature suggestions for a fitting observance of this event.

#### **The National Guard**

The members of the National Guard who took part in the expedition to the border are entitled to our gratitude and admiration. That the supreme sacrifice of the soldier was not required of them detracts nothing from their patriotic devotion to duty. We rejoice in their safe return. You may properly consider a State appropriation in any case of failure by the Federal government to make provision for the necessary aid furnished to the family of a soldier during his absence on this patriotic service. A careful study of our State military law is also appropriate for the purpose of making it harmonious in all particulars with the laws of the Federal government.

#### **Public Health**

You are properly concerned with the conservation of the State's material resources but it is your more important duty to protect the people from dangers threatening their physical welfare. I call your attention to the number of deaths from tuberculosis, 933 in the year 1915. A distinguished authority has estimated the pecuniary loss alone from this waste of life and productive energy at \$8,000,000 annually for the State of Maine. Our campaign against this disease should include larger powers of the State Board of Health for control of advanced cases, better support of institutions providing treatment for patients, and a wider program of education. Public

opinion needs to be further aroused to the necessity of decreasing and if possible stamping out altogether this destructive scourge.

It is not sufficient, however to content ourselves with the treatment of this disease. More stringent measures should be taken for its prevention. Undoubtedly many new cases are caused every year by human consumption of milk from cows affected with tuberculosis. I suggest a State law forbidding the sale of milk from untested cows. The State board of Health might well be given charge of the enforcement of this law together with other laws involving the question of public health.

One of the most common dangers to the public health is the pollution of the sources of domestic water supply. The State Board of Health, alone, or in conjunction with the Public Utilities Commission should be given adequate power to prevent such pollution. A water company or water district ought not to be compelled to purchase all the land surrounding its source of supply in order to protect the health of its customers.

The expansion of our program for care, segregation and treatment of the feeble-minded is one of the State's most urgent needs. No further expenditures for extension of plant should be made, however, until there has been a thorough investigation of the whole problem with the aid of the best expert advice that can be obtained. Appropriations for improvements should be made available for expenditure in the discretion of the Governor and Council after the results of such an investigation are available.

### Labor

It is a necessary condition of real prosperity in a state that industry profitable to capital, be steadily prosecuted by competent and contented workmen whose labor is adequately rewarded and performed under reasonably comfortable and safe conditions. The constant gathering of industry into larger units tends to lessen the former intimate and personal relationship once prevailing between employer and workman. In the interest of the whole people the state government is properly concerned with the conditions under which industry is conducted.

It is especially desirable in accordance with sound public policy that the labor of women and children be restricted within reasonable limits by authority of the State. Maine began this policy in 1909 by the enactment of a law limiting the labor of women and children to fifty-eight hours a week. The last Legislature wisely advanced further along the same line by passing the so-called Fifty-four Hour Law. This law was endorsed by the people at the September election and has been in force a little more than two months. Changes are already proposed and a full trial of the law may disclose the need of some amendments, but this is the people's law, not only in the usual sense of being enacted by their chosen representatives, but also, in this instance, by virtue of their direct endorsement at the polls. No amendment should be made at this session.

I recommend the repeal of the so-called Peonage Law, now Section 12 of Chapter 128 of the Revised Statutes. This law is open to serious objections which in my judgment far outweigh any practical usefulness which it may have been found to possess. Furthermore, it was passed to meet an occa-

sional and unusual emergency and is an unwarranted reflection upon thousands of contented workmen regularly employed in the pulp and lumber industries.

Your attention is directed to the existence of considerable complaint regarding failure on the part of employment agencies to observe strictly the existing laws regulating their management. It is possible that the Commissioner of Labor and Industry needs more definite authority in this connection.

### Dependency

With the progress of civilization has come general recognition of society's obligation to maintain decently and in comfort those unfortunates who have encountered defeat in the economic battle of life. Care of the indigent poor is managed in Maine through the town or city almshouses. Experience in other states has clearly shown that the county or district almshouse provides better care for the inmates at less average cost to the communities charged with their support. Forty states care for their paupers through county almshouses, Rhode Island and the District of Columbia each have one large almshouse and several states are planning to consolidate their county almshouses into institutions serving even larger districts. I commend to your thoughtful attention the recommendation of the State Board of Charities and Corrections that some sort of district almshouse system be established in Maine.

One of the most important and appealing problems in connection with dependency is the condition of children of a widowed or deserted mother whose unaided earning power is insufficient to support the family. In all cases where the mother is a worthy person of good character, it is evidently better to help her keep the family together and bring up her own children than to attempt to care for them in an institution at public expense. Laws providing for State aid to dependent mothers have been in existence for some time in other states and are no longer untried experiments. I recommend the establishment of such a policy in Maine under the supervision of the State Board of Charities and Corrections with the provision that applicants for aid must be recommended by the local overseers of the poor and that the expense be divided between the town or city and the State.

The same principle of division of responsibility and expenditure between the city or town and the State should be applied to the administration of the law providing for pensions for the needy blind, not only because it is equitable that the local communities should share the expense but also because such an arrangement would insure the automatic rejection of unworthy applicants.

### State Prison

In order to bring Maine abreast of what I find to be the best prevailing practice in other states the prison at Thomaston should be thoroughly reorganized and separated from the influence of partisan politics. I urge the abandonment of the present divided and ambiguous system of management, and the creation of an unpaid non-partisan board of prison commissioners to



direct the reorganization of our prison discipline. This board should be authorized to arrange for the employment of prisoners along the lines approved by penal experts and organized labor such as the manufacture of commodities for State consumption, and labor on public works including highways, State farms and forest reserves.

### **Welfare of Children**

From any point of view the children are the finest asset of our State. So far as possible they must all have equal opportunities for study and play, the rightful heritage of childhood. Under wise leadership our schools have advanced rapidly during the past ten years and little new legislation is needed just now. You may well consider the wisdom of encouraging further medical inspection and physical training in the public schools, expert supervision of playgrounds, and the more general use of school houses for community purposes. It is also desirable that the system of school supervision by district superintendents be extended throughout the State as rapidly as possible.

A child who must leave school to enter the ranks of the toilers is especially entitled to the fostering care of the State. He must even be protected from the ignorance or greed of his own parents. I urge that our laws relating to the labor of children be brought up in all respects to the level of the recent Federal act and that you consider further extension of the list of occupations prohibited for children. Some more definite provision should be made for medical inspection of children working in mills and factories.

### **Usury Law**

It is your duty not only to protect our citizens from dangers to their physical health but also from unwarranted invasions of their property rights. The loan shark who preys upon the occasional financial need of the wage earner should be restricted to a reasonable rate of interest. I recommend the passage of an adequate law against usury.

### **Enforcement of Law**

Under any form of government, and especially in a democracy, it ought to be a matter of course that the laws will be faithfully and honestly enforced by the properly constituted authorities. Any contrary policy leads by the way of nullification straight to anarchy and the ultimate destruction of all government. In the old days kings or ruling classes made the laws and enforced them upon the people. As pioneers in the art of self-government we have magnificently demonstrated upon this new continent the right and capacity of the people to make their own laws. But unless we can develop a corresponding ability to obey our laws after we have made them, this experiment in popular government is doomed to certain failure.

In certain parts of Maine there are those who, for pecuniary gain, have persistently and systematically sought to violate the so-called Prohibitory Law and the laws against gambling and kindred vices. We have no feeling

of malice against individuals who through ignorance or the pressure of financial need have been drawn into such unlawful business. They should be shown the injury they are doing to humanity and induced to enter some safer and cleaner occupation.

We can feel nothing but sympathy for the wretched victims of that unnatural appetite to which the liquor traffic panders. If possible, some method should be devised for providing suitable medical treatment at public expense for those who cannot secure it for themselves.

But the real backers and promoters of the liquor traffic in Maine, those affluent and ostensibly respectable outlaws both within and outside our state who organize the systematic defiance of our laws in the interest of their own selfish greed, deserve nothing but the contempt of all decent citizens. For the sake of unlawful and swollen profits they are willing to imperil the morals of our youth, inflict needless suffering upon helpless women and children, and bring physical and financial ruin upon many of our citizens. In order to continue their unhallowed business without hindrance they have the audacity to demand that the organic law of the State be administered to suit their convenience. They even have the amazing effrontery to point to the continued existence of their traffic as an evidence of the failure of the very law which by every known method of bribery, trickery and debauchery they are constantly seeking to break down.

Thus in certain sections of Maine, happily few in number and limited in area, there has developed an issue which ought never to be debatable in a civilized State; namely, the question whether the organic law of the State shall be honestly enforced in accordance with its plain meaning and its undoubted purpose, or whether officials charged with law enforcement shall be permitted to modify its administration in accordance with supposed local sentiment, even to the extent of permitting the law to be systematically and flagrantly violated.

This question is one of the issues upon which the people of Maine registered their decision at the September election. The issue was neither dodged nor evaded in the slightest degree. The dominant party is definitely committed to State and National prohibition and to honest enforcement of the Prohibitory Law as well as all other laws in this State. Furthermore by letters to thousands of citizens, and by public utterances in practically every nook and corner of our state, I am pledged to use every resource at my command as Governor of Maine for the honest statewide enforcement of these laws which have been thus flagrantly violated. That pledge I have just re-affirmed by solemn oath subscribed to in your presence.

No more effective weapon can be furnished any official than an intelligent and patriotic public opinion, alive to the urgent need of upholding the majesty of the law. I earnestly urge upon all good citizens their responsibility for giving such active support to all faithful officers.

There are many gratifying evidences that the public conscience is becoming unusually well aroused upon this point. But while the existence of a strong local public opinion in favor of enforcement is an important aid to the constituted authorities, an apparent lack of such sentiment in a particular locality cannot be accepted as sufficient excuse for failure of a local official to do his duty. To meet such a situation better State control over local

officials is highly desirable. It is essential that the lawbreaker should recognize positively both the power and the determination of some competent authority to punish him. It is necessary also that every local official charged with enforcement of the law should know that regardless of supposed local sentiment his failure to do his duty faithfully will bring prompt and certain punishment, including dismissal from public office. The present method of dealing with this situation is tedious, bungling and expensive. I recommend a constitutional amendment, giving the Governor power to remove a sheriff for cause after notice and hearing, and a statute conferring the same power in the case of county attorneys.

It is also important that owners of buildings where nuisances exist should be held more certainly and readily accountable. I recommend such changes in the injunction law as will make it easy to invoke, and certain and permanent in its operation both against the person and the property involved.

For the complete suppression of the liquor traffic it is necessary that a persistent offender should face the certainty of a jail sentence upon conviction. The plain intention of the people on this point is expressed in the penalties of "Fine and imprisonment," or "Fine and in addition thereto imprisonment" for certain violations of the Prohibitory Law. Unfortunately the evasion of these penalties has been made possible by a subsequent enactment now part of section I Chapter 137 of the Revised Statutes which reads as follows: "When it is provided that he shall be punished by imprisonment and fine, or by imprisonment or fine, or by fine and in addition thereto imprisonment, he may be sentenced to either or both." You should repeal this objectionable paragraph and thus leave the penalties to be imposed as originally enacted by the Legislature and intended by the people.

The above amendments seem to me to be necessary in the interest of better enforcement of the Prohibitory Law but are not mentioned to the exclusion of other additional legislation which may appeal to you as wise and reasonable. Many other suggestions are made. For example, in most prohibition states the standard for intoxicating liquors is the same as that of the United States Government. There is merit also in the proposal that vehicles used in the illegal transportation of intoxicating liquors within the State be confiscated as is the case with gambling implements.

I have directed your attention in turn to the needs of the State respecting financial management, conservation of natural and material resources, and proper safeguards for the physical welfare of our people. All these interests are important but nullification of law injures society at every one of these points, and in addition, by tolerating intrinsic evils, and by engendering disrespect for all law breaks down the very moral fibre of our citizenship. Your responsibility for encouraging enforcement of law is therefore your most urgent public duty. For a patriotic and virile citizenship is our only adequate equipment with which to face the portentous era of world history now opening before us.

We rightly view with pity and sympathy the stricken and struggling nations of the Old World. Yet from the standpoint of probable fitness for impending world rivalry, the actual strain of this period of horror and devastation is not upon any nation of Europe but rather upon America. Their cruel trial brings with it some measure of compensation. Out of the

white-hot crucible of national anguish will emerge a purified and patriotic citizenship trained to sacrifice for the common good. On the other hand during their years of agony and trial we are engulfed in a flood of European gold. The fibre of our citizenship is weakened by unexampled affluence and ease. This is our crisis hour, not theirs! Not, in God's mercy, by the same awful road, not, we hope, through a like experience of national suffering and woe, but by some equally effective challenge to our citizenship, we must match their newly won capacity for utter sacrifice if we are to hold our rightful place among the nations.

Personal abstinence and governmental prohibition have been forced upon European nations as war measures in the face of the national peril. These safeguards of our citizenship are equally urgent patriotic necessities in our own country. I confidently count upon your support for all reasonable measures against that unholy alliance which more than any other internal or external foe menaces the very existence of our nation,—a defiant liquor traffic joined with nullification of law.

Gentlemen of the Legislature, a great task and corresponding responsibility are yours! As representatives of a Christian State you will appropriately begin each daily session with devotional exercises. May these express your conscious dependence upon the guidance of Him who holdeth the nations in the hollow of His hand. Thus may you hope to perform a really useful public service and deserve the approval of those who sent you here.

CARL E. MILLIKEN,  
Governor.

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## GOVERNOR MILLIKEN'S WAR MESSAGE

(April 3d, 1917)

### *Gentlemen of the Legislature:*

Since you first assembled three months ago, world events have moved swiftly to a fateful climax. I have summoned you in joint convention at the very opening of your session this morning because the moment has come for the State of Maine, acting through her chosen representatives, to begin playing her proper part in world affairs.

For more than thirty months Americans have watched with growing horror and amazement the appalling world catastrophe across the sea. We are a peaceful people committed by ancient tradition to a policy of aloofness from European alliances. This policy we have struggled to maintain. Through all these weary months we have taken no part except that of messenger of succor and relief to the distressed.

But continued isolation from the struggle has become increasingly impossible. Neither the broad expanse of the Atlantic nor the faith of treaties, nor the instincts common to humanity have sufficed to protect our peaceful and law abiding citizens from the assassin. With unbelievable patience and self-restraint we have seen our flag insulted, our rights insolently invaded,

our citizens, even women and children, foully murdered upon the high seas. Our self-respect and honor as a nation forbid further endurance of these intolerable aggressions.

But we are to enter the war at last not only because of the threat against the integrity of our own nation and this hemisphere for which we have some measure of responsibility. This is to be no mere defensive war on our part. We are to strike and strike with all the energy and power at our command because we are at last convinced that the very fate of civilization is at stake.

A ruthless military frenzy is running amuck in the world, armed, not with bludgeon and spear suited to such a survival of savagery, but with the most frightful engines of destruction that modern science can devise. Our warfare is not against the German people but against the brutal despotism which assumes to govern them,—a belated survival of mankind's age-old enemy, the cruel and arrogant spirit of autocracy, which soon, please God, is utterly to vanish from the earth.

More is concerned in this titanic struggle than the honor or the life of any nation. It has become a world conflict for that freedom of self-governing democracies of which our flag is the supreme token among mankind. The allies are fighting for civilization against despotism. With the battle finally joined upon this issue our flag would droop in the breeze if withheld ingloriously from the conflict.

Last night before a joint convention of Congress, the President asked that a state of war be declared to exist and that our government at once enter upon the conflict upon the side of the Allies with all the energy and power at our command. You have read his calm and patriotic utterance.

Congress will meet again this noon to put into full effect his recommendations. Before that time, let us, by appropriate action, assure the President and Congress of our full and loyal support in this solemn hour of national crisis. No words need be added to his noble statement of the case. The eloquence of deeds can best be ours.

I urge that you provide immediate authority for the issuance of bonds to the amount of one million dollars and give the Governor and Council full authority to spend such portion of this amount as may be necessary for military purposes.

You will also enact such defense measures as may seem to you fitting, giving the constituted authorities powers appropriate for them to use in time of war.

You should also make suitable provision for adequate care of the families and dependents of soldiers. This can best be done in my judgment by granting some discretion to the Governor and Council without attempting to make a fixed rule applicable to all cases.

So much of our duty we may now foresee. Whatever more our country asks of us will be given with cheerful and unswerving loyalty. You will remain in session for the next few days, even into next week if necessary in order to be ready to take instant action upon matters within the jurisdiction of the State as fast as events shall point the way.

Our little State has a role in the coming conflict far out of proportion to her size. Our rocky shores look out upon the broad Atlantic, once the highway of peaceful commerce, now the possible path of the ruthless in-

vader. When today the leaders of our nation meet in solemn conference, let it be known that Maine is true to her glorious traditions of other days,—that now as always in the past her sons are willing to offer freely the last full measure of devotion when their country calls.

CARL E. MILLIKEN,  
Governor.

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## GOVERNOR MILLIKEN'S MESSAGE ON TAXATION

April 2, 1917

*To the Senate and House of Representatives:*

Gentlemen:—

During the next few days, you will pass upon a series of taxation measures which will determine how much of the revenue of the State during 1917 and 1918 will be raised from indirect taxation and how much by direct tax upon the people.

For the past few years approximately one-half of the total revenue of the State has been provided by a direct tax upon the people, and the other half by various forms of indirect taxation. For the coming two years, because of inflation in prices we are confronted with necessarily increased expenditures in all departments and institutions. You will recall that I pointed out in the budget message that to grant the amounts asked for and make no change in the laws governing indirect taxation, would impose upon the people of the State a direct tax of not less than eight mills for each of the years 1917 and 1918.

I suggested a reduced schedule of expenditures involving rigid economy in the management of all departments and institutions and showed, that by adhering to this schedule and enacting certain laws increasing the revenue from indirect taxation, the entire necessary public financial program, including the mill tax for roads could be accomplished with a direct State tax of only five mills for each year, the same rate that has heretofore prevailed. This means a saving of more than \$3,000,000 to the people of the State in the two years as compared with the tax rate indicated by the estimate filed with the State auditor.

The schedule of expenditures has in fact been worked out in almost exact accordance with the budget suggestions. The total public expenditures agreed upon for 1917 exceed the budget recommendations by only \$7,292.08. The total excess in 1918 is \$38,007.67. In each instance the changes have been agreed upon in conference with the committees having the appropriations in charge. I wish to express to all the members of the legislature and especially to the committees having the appropriations in charge, my sincere appreciation of the unfailing co-operation on your part that has made this result possible.

You have also been willing, at my request, to delay action upon special items outside the budget until it should become evident how much revenue would be available. By arrangement with the committee on appropriations

and financial affairs, these items will be provided for in a supplementary appropriation bill. Only the budget items have been included in the first appropriation bill for each of the years 1917 and 1918.

What remains to be determined is the apportionment of the revenue between direct and indirect taxation. The enactment of all the proposed changes, in indirect taxation, namely: increase in the corporation franchise tax; taxation of personal property in unorganized townships, savings deposits in national banks, and intangible property; increase in the tax on parlor cars, railroad, telephone and telegraph companies and the repeal of the railroad rebate tax law, would make possible a five mill tax for each year. The failure of any one of these measures must be offset by a corresponding increase in the direct State tax beyond five mills. The failure of all these measures would make a six mill tax imperative and leave scant margin for any special appropriations outside the budget.

These additional indirect taxes were suggested with the idea that the special interests concerned might fairly be asked to pay their share of the increased cost of government. They have appeared at committee hearings and protested against the proposed increases, as they had a perfect right to do. You are asked to remember that the alternative in each case is an increased tax upon all the people of the State whom you collectively represent.

I have not used and will never under any circumstances use either personal friendship or the appointing power to influence the decision of any member of the Legislature upon matters pending here before you. I have the right to expect that in deciding these matters of taxation, you will disregard all personal interest and act solely in your capacity as public servants.

CARL E. MILLIKEN,  
Governor.

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### **Veto Message**

### **BELFAST MUNICIPAL COURT**

*To the Honorable House of Representatives:*

I have carefully examined house bill entitled "An Act to Establish the Police Court of the City of Belfast" and respectfully return the same herewith without my approval.

This bill abolishes the existing Belfast Municipal Court and creates a new court in its place with the stipulation that the judge must be a member of the Waldo County Bar.

The present judge of the Belfast Municipal Court is a man learned in the law and so far as I am aware is properly performing the duties of his office, but he is not a member of the bar and has not studied law in a law office or law school a sufficient length of time to qualify him for admission to the bar.

The practical effect of the enactment of this bill would be to remove the present judge from office and make him ineligible for reappointment.

In regard to all other similar cases pending at this session you have properly taken the position that no court ought to be abolished by legislation when the sole or main purpose is to remove the judge of that court. A proper process is provided under the Constitution for accomplishing this object where there are justifiable causes.

I feel sure that the same rule should apply in this case. If it is sought to require all municipal and police court judges to be members of the bar, that can be accomplished by passing a general law to that effect. In fact I believe that such a bill is now pending in the Legislature. If other changes in the charter of the Belfast Municipal Court are necessary they can be accomplished without abolishing the court.

CARL E. MILLIKEN,  
Governor.

Augusta, April 6, 1917.

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### Veto Message

### RELATING TO SMELTS

#### *To the Honorable House of Representatives:*

I have carefully examined House bill entitled "An Act to Amend Section Seventy-Six of Chapter Forty-Five of the revised statutes Relating to Smelts," and respectfully return the same herewith without my approval.

Our established policy relating to smelt fishing as expressed in the general law of the State forbids fishing in the tidal waters along the coast within one-half mile of the coast line at mean high water mark, starting from Cape Small Point on the west bank of the Kennebec river and continuing easterly along the coast of Maine to Owls Head in Penobscot Bay except by hook and line, weirs or set nets through the ice.

The purpose of this bill is to except from the provisions of the general law the Sheepscot river to Merrill's Ledges, and in the Damariscotta river to Merry's Island in Lincoln County.

There seems to be a conflicting interest between the seiners on the one hand and the hand line fishermen on the other, but like all other similar questions this should be decided in accordance with the probable effect upon the fishing industry as a whole.

In the absence of any authoritative and disinterested decision by experts upon this matter I cannot resist the conclusion that the danger of injury to the general smelt fishing industry is sufficient to make the passage of this bill in its present form inadvisable.

CARL E. MILLIKEN,  
Governor.

Augusta, April 7, 1917.



**NUMBER OF ACTS AND RESOLVES PASSED**

*To the President of the Senate and Speaker of the House:*

A list of the acts and resolves passed during the present session of the Legislature and approved by me, numbering 514 acts and 119 resolves, is hereby transmitted.

I have no further communication to make.

CARL E. MILLIKEN,  
Governor.

**NOTE:** Governor Milliken's Budget Message with appendix will be found in full in the Legislative Record.

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**STATE OF MAINE****A Proclamation by the Governor****REGISTRATION DAY**

Whereas in accordance with the Act of Congress of May eighteenth the President of the United States has designated Tuesday, June fifth, as Registration Day, now, therefore, I do hereby summon all male persons between the ages of twenty-one and thirty, both inclusive, to present themselves between the hours of 7 A. M. and 9 P. M. on the said fifth day of June at the registration place in the precinct wherein they have their permanent homes, excepting, only, officers and enlisted men of the Regular Army, the Navy, the Marine Corps, and the National Guard and Naval Militia while in the service of the United States, and officers of the Officers' Reserve Corps and enlisted men in the Reserve Corps while in active service.

This call to registration will come to the young men of Maine not only as the summons of law but also as an opportunity to perform with spontaneous enthusiasm a patriotic duty. No fear of penalties will be needed to insure universal response to the summons. I urge upon all our citizens the importance of aiding in every possible way to make the registration one hundred per cent efficient and to surround it with the enthusiasm appropriate to the occasion.

Employers of labor are urged not to make the day an industrial holiday, but to arrange for the presence of their employees at the places of registration at convenient intervals during the day.

Owners of automobiles are requested to offer them for service where needed. I hope that the significance of the day will be emphasized by the general display of the American flag. Clergymen are requested to announce from their pulpits the date of registration, and newspapers are urged to give it all possible publicity.

Maine has always been staunch in her patriotism. No flag of a Maine regiment has ever yet been surrendered to an enemy. On this most mo-

mentous day in the history of our country, I confidently summon our entire citizenship to a triumphant demonstration that shall be worthy of our glorious tradition.

[SEAL]

Given at the Executive Chamber at Augusta, this first day of June, in the year of our Lord one thousand nine hundred and seventeen, and of the Independence of the United States of America the one hundred and forty-first.

CARL E. MILLIKEN,  
Governor.

By the Governor,

Attest:

Frank W. Ball,  
Secretary of State.

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## STATE OF MAINE

### A Proclamation by the Governor

### REGISTRATION OF ALIENS

Whereas, at the session of the legislature beginning January 3, 1917, an emergency act was passed entitled "An Act Relating to the Registration of Information Concerning Aliens."

And Whereas, it is provided in said act that whenever between the United States of America and any foreign country a state of war shall exist the Governor may by proclamation direct and require every subject or citizen of such foreign country within this state to appear within twenty-four hours after such proclamation and from time to time thereafter within twenty-four hours after his arrival in this State before such public authorities as the Governor may in such proclamation direct, and then and there such subject or citizen of such foreign country shall personally register his name, residence, business, length of stay and such information as the Governor may from time to time in such proclamation prescribe and the person in control, whether owner, lessee, manager or proprietor, of each hotel, inn, boarding house, rooming house, building and private residence shall within twenty-four hours after said proclamation notify said public authorities of the presence therein of every said subject or citizen of such foreign country and shall each day thereafter notify such public authorities of the arrival thereat and departure therefrom of every such citizen or subject.

And Whereas a failure to comply with all the requirements of this act is declared to be a misdemeanor punishable by a fine not exceeding one thousand dollars and by imprisonment not exceeding one year or both.

And Whereas a state of war now exists between the United States of America and The Imperial German Government,

Now, Therefore, I, Carl E. Milliken, Governor of the State of Maine, by authority of said act, do by this proclamation, direct and require, that all

subjects or citizens of The Imperial German Government, shall within twenty-four hours appear before the clerks of the towns where they are located or the boards of registration, if located in cities and register and all other persons shall notify such clerks and boards of registration of the presence of subjects or citizens of The Imperial German Government in any building under their control as provided in this act.

[SEAL]

In Witness Whereof, I have caused the seal of the State to be hereunto affixed, at Augusta, this seventh day of April, in the year of our Lord one thousand nine hundred and seventeen, and of the Independence of the United States of America the one hundred and forty-first.

CARL E. MILLIKEN,  
Governor.

By the Governor:

Attest:

FRANK W. BALL,  
Secretary of State.

**STATE OF MAINE**

**I hereby certify that I have caused the foregoing acts and resolves to be carefully compared with the signed copies of the same and that they appear to be correctly printed.**

**FRANK W. BALL,**  
**Secretary of State.**

# INDEX TO PUBLIC LAWS.

(Figures refer to pages.)

	Page		Page
<b>ADMINISTRATOR</b>		<b>ARBORETUM</b>	
Appointment, public notice of, am. R. S. c. 67 .....	114	Trespass upon, prohibiting, am. r. s. c. 129, § 19 .....	81
Bonds, for sale of real estate, when performed, am. R. S. c. 76, ..	406	<b>ARMORIES</b>	
Civil Actions, relating to .....	116	Injury to, wanton, increasing pen- alty, am. r. s. c. 129, § 4 ....	96
De Bonis Non, actions against ....	117	<b>ARMORY COMMISSION</b>	
Non Resident, appointment of agent or attorney, am. r. s. c. 68, § 44 .....	114	Cresting .....	345
Public, payment of claims by, am. r. s. c. 68, § 81 .....	125	<b>AROOSTOOK COUNTY</b>	
Qualification, relating to .....	118	Clerk of Courts, clerk hire, increas- ing and providing for expenses at Caribou court, am. r. s. c. 117, § 45 .....	398
Real Estate, bond for sale of, am. r. s. c. 76, § 3 .....	79	Registry of Deeds, (southern) clerk hire increased, am. r. s. c. 117, § 45 .....	398
Special, appointment of, am. r. s. c. 68, § 34 .....	33	Trial Courts, supreme judicial court, relating to, am. r. s. c. 82, § 51 .....	209
corporations, powers in business of, am. r. s. c. 68, § 35 .....	21	<b>ASSAULTS</b>	
<b>ADOPTED CHILDREN</b>		Inland Fish and Game Wardens, upon, am. r. s. c. 124 § 23 .....	13
Inheritance, rights of from natural parents, am. r. s. c. 72 § 38 .....	277	<b>ATTACHMENTS</b>	
<b>ADULTS</b>		Personal Property, (mortgaged) am. r. s. c. 83, § 44-47 .....	164
Guardians of, appointment, am. r. s. c. 72, § 4 .....	164	Real Estate, discharge of on regis- ter's records .....	168
<b>ADVERTISING</b>		<b>ATTENDANCE OFFICERS</b>	
Towns, natural resources, am. r. s. c. 4, § 59 .....	68	Traut Officer, designation changed to .....	279
<b>AGRICULTURAL DEPT.</b>		<b>ATTORNEY GENERAL</b>	
Commissioner, salary of to be paid weekly, am. r. s. c. 117 § 36 .....	280	Expenses of department of, increas- ing appropriation, am. r. s. c. 82, § 72 .....	402
term, increased to four years, am. r. s. c. 34, § 1 .....	200	Investigations, at request of state depts., am. r. s. c. 82, § 72 .....	402
Deputy Com., creating office of, am. r. s. c. 34, § 1 .....	154	Prosecution of cases, of state depts., am. r. s. c. 82, § 72 .....	402
Farm Products, marketing, provid- ing for study of... ..	216	Salary, payment of weekly, am. r. s. c. 117, § 36 .....	280
Live Stock Sanitary Com. not under supervis- ion of, am. r. s. c. 35 ...	162	<b>AUGUSTA STATE HOSPITAL</b>	
<b>AIR RIFLES</b>		Bond, issued to Maine Insane Hos- pital refunding in favor of ..	70
Children, sale or gift of to, pro- hibited .....	437	<b>AUTOMATIC SIGNALS</b>	
<b>ALB</b>		Railroad Crossings, installation at. .	143
Receptacles, containing, to be label- ed when alcohol is an ingredient .....	208	<b>AUTOMOBILES</b>	
<b>ALIENS</b>		(See Motor Vehicles)	
Registration of information con- cerning .....	85	Public, fares, evasion of, am. r. s. c. 57, § 8 .....	16
<b>ANCIENT BURYING GROUNDS</b>		<b>B</b>	
(See Burying Grounds)		<b>BADGES</b>	
<b>ANDROSCOGGIN COUNTY</b>		Relatives of society members, per- mitted to wear, am. r. s. c. 62, § 9 .....	80
Judge of Probate, salary increased, am. r. s. c. 117, § 38 .....	416	Wearing of, by non members of so- ciety prohibited, am. r. s. c. 62, § 9 .....	80
Registry of Deeds, clerk hire in- creased, am. r. s. c. 117, § 45 ....	156	<b>BALLOT</b>	
Superior Court, establishment of at Auburn .....	377	Challenge, note of to be made on... .	54
<b>ANNUITIES</b>			
Fraternal Benefit Societies, may pay to chil- dren ..	6		

	Page		Page
<b>BALLOT (Continued)</b>		<b>BOARDS OF REGISTRATION (Cont.)</b>	
Printing, blank square at right of candidate's name, am. r. s. c. 7, § 2.....	421	cities of not less than 35,000, relating to, am. r. s. c. 5, § 19 .....	55
Second Set, disposition of, am. r. s. c. 7, § 10 .....	83	cities of 3,000 and over, relating to, am. r. s. c. 5, § 5 and 40 .....	44
<b>BANK COMMISSIONER</b>		<b>BOTANIC GARDEN</b>	
Salary, increased, am. r. s. c. 117, § 19 .....	252	Trespass upon, prohibiting, am. r. s. c. 129, § 19 .....	81
payment of, weekly, am. r. s. c. 117, § 36 .....	280	<b>BOTTLES</b>	
Term, length of increased, etc, am. r. s. c. 52, § 1 .....	88	Labeling, when contents contain alcohol as an ingredient ..	208
<b>BANKING DEPT.</b>		<b>BOUNTY ON BEARS</b>	
Commissioner, salary of increased, am. r. s. c. 117, § 19 .....	252	(See Bears)	
Deputy Com., increasing salary of, am. r. s. c. 117, § 19 ..	252	<b>BAGADUCE RIVER</b>	
Examiners, providing for employ of, am. r. s. c. 117, § 19 ...	252	Scallops, taking in, am. r. s. c. 45, § 67 .....	18
<b>BANKS</b>		<b>BREAST WORKS</b>	
Checks, drawn upon without sufficient funds .....	73	Injury to, wanton, am. r. s. c. 129, § 4 .....	96
Stockholders, list of not to be returned to sec. of state, rep. r. s. c. 51, § 27 ..	81	<b>BRIDGES</b>	
<b>BASTARDY</b>		Injury to, wanton, increasing penalty, am. r. s. c. 129, § 10..	96
Bond, of adjudged father, approval of, am. r. s. c. 102, § 7 .....	66	<b>"BRIDGE BILL"</b>	
Poor debtor's oath, release from custody by taking, am. r. s. c. 102, § 10 .....	161	State and County, aid in construction of highway bridges, am. c. 319, P. L. 1915 ..	441
<b>BEARS</b>		<b>BROKERS</b>	
Bounty, payment of by town treasurers .....	214	Insurance, appointment of, am. r. s. c. 53, § 125 .....	50
<b>BEER</b>		<b>BUDGET ESTIMATES</b>	
Receptacles, containing, to be labeled when alcohol is an ingredient .....	208	State Departments, date of filing, copy to be filed with Gov., am. r. s. c. 2, § 92 ..	273
<b>BENEVOLENT INSTITUTIONS</b>		State Institutions, receiving state aid, changing date of filing, am. r. s. c. 2, § 93 ..	274
State Appropriations, manner of payment ....	87	State Institutions and Departments, tabulation of, to be submitted to Gov., am. r. s. c. 2, § 94 .....	274
<b>BILLS OF EXCHANGE</b>		<b>BUILDINGS</b>	
Acceptance, relating to .....	304	Inspector of, to be elected instead of appointed, am. r. s. c. 30, § 25 .....	62
for honor .....	307	Safeguards and Repairs, inspection of, am. r. s. c. 30, § 39 .....	37
Form, relating to .....	303	School, plans for reconstruction, to be approved, am. r. s. c. 16, § 14 .....	49
Interpretation, relating to .....	303	<b>BUREAU OF MARKETS</b>	
Payment for honor, relating to ...	309	Establishment of, by Com. of Agriculture .....	216
Presentment for Acceptance, relating to .....	305	<b>BURIAL PERMITS</b>	
Protest, relating to .....	306	Town Clerks, compensation for issuance of, am. r. s. c. 118, § 20 .....	13
Sets, relating to .....	309	<b>BURYING GROUNDS</b>	
<b>BILLS OF LADING</b>		Fences, to be maintained about those in which Revolutionary veterans are buried ...	166
Carriers, rights and obligations of..	104	Revolutionary Veterans' Graves, care of .....	166
Criminal Offenses, relating to .....	111	<b>C</b>	
Interpretation, relating to .....	112	<b>CALVES</b>	
Issue of, relating to .....	102	Test of, upon sale, requiring of those six mos. old and over, am. r. s. c. 35, § 17 .....	269
Negotiation of, relating to .....	108	<b>CARTRIDGES</b>	
Transfer of, relating to .....	108	Possession and Sale of, to be recorded .....	407
<b>BLIND</b>			
Aid, amount of, discretionary; for exclusive use only, am. r. s. c. 148, § 12 .....	433		
applications for: affidavit, qualifications of persons making, am. r. s. c. 148, § 14 .....	433		
Pensions, examination of applicant for, am. r. s. c. 148, § 15-17 ..	434		
governor and council, procedure by, am. r. s. c. 148, § 18 .....	435		
paupers and persons wishing to leave institutions, may receive, am. r. s. c. 148, § 13 .....	433		
<b>BOARDS OF REGISTRATION</b>			
Voters, change of registration, town of last voting residence to be notified .....	84		

	Page
<b>CATTLE</b>	
Importation of, report of U. S. inspector or app. veterinarian acceptable, am. r. s. c. 35, § 18 .....	269
<b>CENTENNIAL WEEK</b>	
Date and Observance of, by towns and cities. ....	13
<b>CHARITABLE AND COR. INSTS.</b>	
Accounts, date of closing changed..	59
Venereal Diseases, cases of, to be reported, am. r. s. c. 19 .....	435
<b>CHARITIES AND CORRECTIONS</b>	
Board, expenses of, am. r. s. c. 147, § 2 .....	63
reports of, relating to, am. r. s. c. 147, § 9 .....	64
Secretary, salary, relating to payment of, am. r. s. c. 147 § 2 .....	64
<b>CHARITABLE INSTITUTIONS</b>	
State Appropriation, manner of payment, .....	87
<b>CHECKS</b>	
Drawing, without funds, failure to pay within five days evidence of guilt .....	73
<b>CHILDREN</b>	
Adoption of, relating to right of inheritance, am. r. s. c. 72, § 38 .....	277
Air Rifles, sale or gift to, prohibited	437
Female, offences against person of, am. r. s. c. 120, § 27 .....	82
Fraternal Benefit Societies, may insure .....	6
Protection of, agent, appointment and duties of, am. r. s. c. 64, § 49 .....	422
<b>CHILDREN'S HOMES</b>	
Defining, am. r. s. c. 64, § 58 .....	153
Licensing of, exempting insts. under supervision of charities and corrections board, am. r. s. c. 64, § 58 .....	172
<b>CITIES</b>	
Sinking Fund, refunding of indebtedness, relating to, am. r. s. c. 4, § 60... ..	281
<b>CIVIL ACTIONS</b>	
Attachments, discharge of, providing for immediate record of, am. r. s. c. 86, § 71 .....	390
personal property, when mortgaged or pledged, am. r. s. c. 86, § 44-47 .....	164
County Attorney, prosecution by when state is party to, .....	178
United States Service, against persons serving in to be continued .....	391
<b>CLERK OF COURTS</b>	
Aroostook County, clerk hire, increasing and providing expenses at Caribou court, am. r. s. c. 117, § 45. ....	398
Salary, payment of, relating to ....	167
<b>CLERK HIRE</b>	
Androscoggin County, registry of deeds, increasing ...	156

	Page
<b>CLERK HIRE (Continued)</b>	
Aroostook Co., clerk of courts, increasing and providing for expenses Caribou court, am. r. s. c. 117, § 45 .....	398
registry of deeds, (Southern) increasing, am. r. s. c. 117, § 45 .....	398
Cumberland Co., county attorney, increase in office of, am. r. s. c. 117, § 45 .....	193
Oxford Co., registry of probate, increasing, am. r. s. c. 117 § 45 .....	270
Penobscot Co., county attorney, providing for in office of, am. r. s. c. 117, § 45 .....	273
Portland Municipal Court, clerk hire in office of recorder, increased, am. r. s. c. 117, § 45....	275
Sagadahoc Co., registry of deeds, increasing, am. r. s. c. 117, § 45 .....	257
registry of probate, increasing, am. r. s. c. 117, § 45 .....	257
<b>CLOCKS</b>	
Mechanics Idea on, creating .....	420
<b>COMMANDERS</b>	
Defense of State, governor to exercise power of, in, .....	403
<b>COM. OF AGRICULTURE</b>	
Deputy, creating office of, am. r. s. c. 34, § 1 .....	154
Salary, to be paid weekly, am. r. s. c. 117, § 36 .....	280
Seed, certification of, authorizing expenditure for .....	125
Tenure of Office, increasing term to four years, am. r. s. c. 34, § 1 .....	200
<b>COMMODITIES</b>	
Weights and Measures, testing of by sealer, am. r. s. c. 48 § 24 ...	205
<b>COMPULSORY SCHOOL UNIONS</b>	
Supervisory Districts, all towns to be combined into by state supt., am. r. s. c. 16 ....	181
<b>CONNECTING STEAM RAILROADS</b>	
Joint Rates, and through fares, relating to .....	29
<b>CONSERVATOR</b>	
Appointment of, relating to public notice, am. r. s. c. 67 .....	114
amending r. s. c. 72, § 10 .....	115
<b>CONTINGENT FUND (State)</b>	
Lapse of Appropriation, changing date of and authorizing draft upon, am. r. s. c. 2, § 85 and 87 .....	260
<b>CONTINGENT REMAINDERS</b>	
Real Estate, subject to, relating to petition for sale of, am. r. s. c. 78, § 4-5 .....	9

	Page		Page
<b>CONTINUOUS HIGHWAYS</b>		<b>COUNTY TREASURER</b>	
Construction of, when extending through three or more towns .....	156	Salary, payment of, relating to ....	167
<b>CORPORATIONS</b>		Term, increased to four years, am. r. s. c. 13, § 1 .....	90
Fees, without capital stock, fixing registers, am. r. s. c. 62, § 4 ..	67	<b>COURT PROCEEDINGS</b>	
"Non Par," providing for formation of with shares without nominal value, am. r. s. c. 51 .....	139	Criminal, after verdict, imposition of sentence, relating to, am. r. s. c. 136, § 27 .....	160
Writs, service upon, am. r. s. c. 86, § 19 .....	186	<b>CRIMINAL PROCEEDINGS</b>	
<b>CORRECTIONAL AND CHARIT. INSTS.</b>		Sentences, imposition and execution of, am. r. s. c. 136, § 27 ..	160
Accounts, date of closing changed ..	59	<b>CRIMINAL ACTIONS</b>	
<b>COUNTY ATTORNEYS</b>		County Attorney, speedy prosecution by .....	178
Civil Actions, prosecution by when state is party to ....	178	<b>CRUELTY OFFICERS</b>	
Criminal Actions, speedy prosecution, final judgment and sentence relating to .....	178	Appointment, application may be made by county com. am. r. s. c. 126, § 65 ..	253
Cumberland, assistant, salary increased, am. r. s. c. 117, § 37 .....	193	<b>CUMBERLAND COUNTY</b>	
clerk hire, providing for increase in office of, am. r. s. c. 117, § 45 .....	193	Assistant County Attorney, salary, increase in, am. r. s. c. 117, § 37 .....	193
salary, increasing am. r. s. c. 117, § 37 .....	193	County Attorney, clerk hire in office of, am. r. s. c. 117, § 45 .....	193
Expenses, payment of by county, am. r. s. c. 138, § 1 .....	89	salary, increasing, am. r. s. c. 117, § 37 .....	193
Fenobscot County, clerk hire in office of, providing for, am. r. s. c. 117, § 45 .....	273	Medical Examiners, number of increased to five, am. r. s. c. 141, § 1 .....	281
Removal, giving governor and council power to displace delinquents and fill vacancies, am. r. s. c. 84, § 16 .....	276	Superior Court, stenographer's salary, increasing, am. r. s. c. 117, § 11 ....	280
Sentencing of Criminals, provisions of, r. s. c. 127, § 42, relative to rep. ....	159	<b>CUSTODY OF MINORS</b>	
<b>COUNTY COMMISSIONERS</b>		Divorce or nullity of marriage, providing for in case of by third party, am. r. s. c. 65, § 14 .....	172
Courts, Washington County, changing date of, am. r. s. c. 83, § 6 .....	2	Parents, living apart, am. r. s. c. 64 § 45 .....	6
York county, date and place of holding, relating to, am. r. s. c. 83, § 5 ....	82	<b>D</b>	
<b>Cruelty Officers</b> , application for appointment may be made by, am. r. s. c. 126, § 65 .....	253	<b>DAIRY PRODUCTS</b>	
Expenses, payment of at public hearings not at county seat, am. r. s. c. 117, § 42 .....	171	Inspection of, providing for, am. r. s. c. 37, § 12-13 .....	187
Poor Debtors, authority to fix expense of in jail, am. r. s. c. 115, § 82 .....	120	<b>DAMS</b>	
Salary, payment of, relating to ....	167	Injury to, wanton, increasing penalty, am. r. s. c. 129, § 10 ..	96
amending r. s. c. 117, § 42 ..	32	<b>DANGEROUS WEAPONS</b>	
Temporary Loans, giving to all like authority with Cumberland and Kennebec, am. r. s. c. 83, § 21 .....	45	Carrying of, prohibiting without license .....	216
<b>COUNTY JAILS</b>		<b>DEATHS</b>	
Women Inmates, transfer of to Reformatory for Women .....	385	Town Clerk, to transmit record of to birthplace of deceased, am. r. s. c. 64, § 28 ....	24
<b>COUNTY OFFICIALS</b>		<b>DEFENSE OF STATE</b>	
Salaries, relating to the date of payment of .....	167	Commandeer, governor to exercise right of, .....	401
Surety Bonds, premium on to be paid by county, am. r. s. c. 53, § 157 .....	74	Eminent Domain, governor may exercise for purposes of and may cede lands to U. S. ....	393
		Special Constable, governor to appoint for purpose of .....	402
		<b>DENTISTS</b>	
		Dental Hygienists, women, relating to the employment of by .....	388



	Page
<b>DEPOSIT BOOKS</b>	
Savings Banks, duplicate, issuance of, am. r. s. c. 52, § 26 .....	3
Trust Companies, duplicate, issuance of, am. r. s. c. 52, § 26 .....	3
<b>DEPUTY BANK COMMISSIONER</b>	
Salary, increased, am. r. s. c. 117, § 19 .....	252
<b>DEP. COM. OF AGRICULTURE</b>	
Appointment, creating office of, am. r. s. c. 34, § 1 .....	154
<b>DEPUTY SHERIFFS</b>	
Special Deputies, appointment and compensation of ..	392
<b>DEP. SUPT. OF SCHOOLS</b>	
Salary, increasing, am. r. s. c. 117, § 20 .....	175
<b>DETECTIVES</b>	
Licensed, number increased, am. r. s. c. 132, § 13 .....	200
<b>DISABLED HORSES</b>	
Sale of, prohibiting .....	162
<b>DISCHARGE OF ATTACHMENTS</b>	
Real Estate, relating to record of registers of deeds .....	168
<b>DIVORCE</b>	
Children, custody of by either parent or by third person, am. r. s. c. 65, § 14 .....	172
Libel, return date of, am. r. s. c. 65, § 8 .....	176
<b>DYNAMITE</b>	
Possession and sale of, to be recorded .....	407
<b>E</b>	
<b>EDUCATIONAL DEPT.</b>	
Deputy Supt. of Schools, increasing salary of, am. r. s. c. 117, § 20..	175
<b>ELECTION</b>	
Ballots, printing of, providing for blank square, at right of candidates name, am. r. s. c. 7, § 2 .....	421
Check Lists, return of to clerk .....	37
Clerks, required to assist in counting ballots, am. r. s. c. 7, § 13..	271
Polling Districts, division of towns into for voting purposes .....	203
Stickers, obviating use of .....	446
Vote, challenge of, note to be made on ballot .....	54
Voters, "repeaters" and giving false information, am. r. s. c. 7, § 116 .....	165
Women, laws made to include, (provisional), am. r. s. c. 5, § 2.	408
<b>ELECTION CLERKS</b>	
Duties of, requiring them to assist in counting ballots, am. r. s. c. 7, § 13 .....	271
<b>ELECTRIC CARS</b>	
Headlights, glare of, to control ....	390
<b>ELECTRIC RAILROADS</b>	
Physical Connection with steam railroads .....	38

	Page
<b>EMERGENCY STATE EXPENSES</b>	
State Auditor to present list of to legislature on first day of session .....	170
<b>EMINENT DOMAIN</b>	
Public Exigencies, governor may exercise right of in time of .....	392
<b>EMPLOYMENT OF MINORS</b>	
Work Permit, issuance of, am. r. s. c. 49, § 21 .....	146
<b>ENFORCEMENT OF LAW</b>	
County Attorney, relating to causing speedy sentence of criminal, rep. r. s. c. 127, § 42 .....	159
<b>ENGINEERS (Stationary)</b>	
Licensing, requiring in places of 40,-000 and over; exceptions .....	381
<b>ESTATES</b>	
Claims against, relating to, am. r. s. c. 92, § 14 .....	116
<b>EUROPEAN AND NO. AM. R. R.</b>	
Conveyance of real estate to, by State Highway Commission....	154
<b>EVASION OF FARES</b>	
Taxicab and public automobiles, am. r. s. c. 57, § 8.	16
<b>EXPENSES OF STATE DEPTS.</b>	
(See State Depts.)	
<b>EXECUTOR</b>	
Appointment, public notice of, am. r. s. c. 67, .....	114
Bonds, given to obtain license to sell real estate, when performed, am. r. s. c. 76 .....	406
Civil Actions, relating to, am. r. s. c. 86, § 95 .....	116
Non-Resident, appointment of agent or attorneys, am. r. s. c. 68, § 44 .....	114
Real Estate, sale of by order of court, bond of, am. r. s. c. 76 § 3 .....	79
Qualification, relating to .....	118
<b>EXPLOSIVES</b>	
Possession and sale of to be recorded	407
<b>F</b>	
<b>FARES</b>	
Evasion of, am. r. s. c. 57, § 8 .....	16
<b>FARM LANDS LOAN</b>	
Reserved Land Fund, providing for an investment of by a board of commissioners .....	437
<b>FARM LOAN BANK</b>	
Savings Banks, investment in bonds of, am. r. s. c. 52, § 27 .....	36
<b>FARM PRODUCTS</b>	
Marketing, Com. of Agriculture to provide for study of ....	216
<b>FEEBLE MINDED</b>	
Marriage, prohibited, am. r. s. c. 64, § 2 .....	33
<b>FEMALE CHILD</b>	
Carnal knowledge of, by person 18 years old and over, am. r. s. c. 120, § 27 ..	82

	Page		Page
<b>FERRIES</b>		<b>Court Records</b> , report of cases to be transmitted to Com.	251
Disorderly conduct, on or about property of am. r. s. c. 57, § 70-71	161	<b>Cow Moose</b> , perpetual closed time on	231
<b>FIRE APPARATUS</b>		<b>Crows</b> , not protected	239
Injury to, wanton, am. r. s. c. 129, § 10	96	<b>Cultivated Crops</b> , deer may be killed when doing damage to	232
Water, free use of may be granted to individuals installing, am. r. s. c. 55, § 34	408	<b>Cultivation of Fish</b> , regulations to be made by Com.	231
<b>FIRE AND MARINE INSURANCE</b>		<b>Cusk</b> , regulations as to taking	226
Reserve Fund, relating to, am. r. s. c. 53, § 88	22	<b>Dams</b> , etc., Com. may cause to be provided with fishways	220
<b>FIRE DEPTS.</b>		<b>Deadening sound explosion</b> , devices for prohibiting	248
Injury to members, providing substitution for workmen's compensation insurance, am. r. s. c. 50, § 6	275	<b>Deer</b> , closed time on and special provisions as to	232
<b>FISHES</b>		<b>Deer heads</b> , dealers in, Com. may grant licenses to	244
Investigation of, expenditure by State, fixing maximum amount, am. r. s. c. 30, § 55	359	<b>Deer meat</b> , marketmen may be licensed to deal in	245
<b>FISHING</b>		sale of for transportation out of State	233
Non Residents, license required	51	<b>Deer skins</b> , dealers in, Com. may grant licenses to	244
<b>FISH AND GAME LAWS</b>		<b>Deputy Wardens</b> , appointment and tenure	222
Advance Baiting, tolling by, prohibited	229	<b>Devices and Implements</b> , use of in fishing prohibited	237
Arrests, without process	250	<b>Dogs</b> , hunting deer with aid of prohibited	233
Artificial Lights, use of in hunting deer, prohibited	233	<b>Ducks</b> , closed season on	238
Automobiles, hunting from, prohibited	242	transportation of	239
Back Bay (Portland), hunting in prohibited	248	<b>Eagle</b> , perpetual closed time on	238
Bartlett's Island, (Hancock Co.) hunting on prohibited	247	<b>Eden</b> , town, of, hunting, certain section reserved	247
Bear Traps, special provisions relating to	236	<b>Eels</b> , permits for taking	228
Beaver, open season may be declared upon evidence of damage by	234	<b>English Sparrow</b> , not protected	239
Black Bass, annual closed time on	225	<b>Explosives</b> , use of in fishing prohibited	227
Black Game, perpetual closed time on	238	<b>Fines and Penalties</b> , disposition of	250
Blue Herons, not protected	239	<b>Fish Hatcheries</b> , real estate may be taken by Com. for	221
Bounties, bobcats	237	<b>Fishing for Hire</b> , prohibited	227
Canada Lynx	237	<b>Fishways</b> , Com. may cause owners of dams to keep repaired	220
Loupservier	237	<b>Foreigners</b> , fire arms. possession of in fields and forests	243
Brant, closed season on	238	license required, unless real estate holders	243
Bull Moose, closed time on until Nov. 1st, 1919	231	<b>Fox Dens</b> molestation of, prohibited	235
Calf Moose, perpetual closed time	231	<b>Fur Bearing Animals</b> , general provisions relating to	235
Camden Rifle Club, rifle range near Megunticook Lake	248	skins of, dealers in to be licensed	244
Cape Elizabeth, hunting prohibited certain section of	247	unorganized towns hips, trapping license to be procured	236
Capercaillie, perpetual closed time on	238	<b>Gallinules</b> , closed time on	238
Caribou, perpetual closed time on	231	<b>Game Birds</b> , closed time on, general provisions	238
"Closed Season," definition of term	224	definition of,	239
Cock of the Woods, perpetual closed time on	238	trapping of prohibited	239
Commissioners, appointment, tenure etc.	217	<b>Geese</b> , closed season on	238
authority of	219	<b>Gray Squirrels</b> , closed season on and special provisions relating to	235
duties of, etc.	218	<b>Guides</b> , not to accept employment of unlicensed non residents	242
jurisdiction of extends to tidal waters	231	registration of, etc.	239
notice, defacement of	218	<b>Hawks</b> , not protected	239
rules and regulations, penalty for violation	218	<b>Hornpouts</b> , permits for taking	228
Coots, closed time on	238	<b>Hungarian Partridge</b> , perpetual closed time on	238
Corporations, violations by, procedure	251	<b>Ice Fishing</b> , relating to	225
County Attorneys, prosecutions to be made by	251	<b>Inconsistent Statutes</b> , repealing; exceptions	251
		<b>Introduction of Fish</b> , without permit, prohibited	229

	Page
<b>FISH AND GAME LAWS (Continued)</b>	
Jack lights, etc., penalty for having in possession .....	227
Jurisdiction of Offenses, relating to .....	250
Kineo Point, hunting on prohibited ..	247
Kingfishers, not protected .....	239
Licenses, expiration of .....	246
revocation of .....	246
suspension of .....	246
Lines, number of limited .....	226
Loons, not protected .....	239
Lumber camps, deer, number of limited .....	233
Marketman, deer meat, may be licensed to deal in .....	245
Megunticook Lake, use of firearms prohibited, certain seasons .....	248
Minnows, regulations as to taking ..	228
Moose meat, sale of for transportation out of State .....	233
Motor boats, use of in hunting water fowl, prohibited .....	240
Mud hens, not protected .....	239
Night hunting, prohibited .....	246
Non-resident hunters, deer, transportation by .....	241
firearms, possession by .....	242
game birds, transportation of .....	241
guides, not to accept employ of unlicensed .....	242
license, required form, etc. ....	241
transfer of prohibited .....	242
transportation of game by ..	241
Owls, not protected .....	239
Particeps criminis, testimony of may be required .....	251
Partridge, closed season on .....	238
transportation of .....	239
Penalties, for violation of certain fishing laws .....	226
Pheasant, perpetual closed time on ..	238
Pickarel, relating to .....	225
Plover, closed season on .....	238
Power boats, use of in hunting water fowl prohibited .....	240
Private ponds, protection of .....	231
Propagation of game and birds, Com. may grant licenses for ..	219
Front's Neck, (Cumberland Co.), hunting on prohibited .....	247
Rabbits, closed time on and special provisions relating to .....	236
Raccoons, night hunting, relating to ..	246
Rails, closed time on .....	238
Richmond's Island (Cumberland Co.), hunting on, prohibited .....	247
Ruffed Grouse, closed season on .....	238
Sale of deer meat, for transportation out of State .....	233
Sale of Fish, relating to .....	226
Sale of Moose meat, for transportation out of State .....	233
Salmon, annual closed time on .....	225
Salting Deer, or enticing by cultivated crops, prohibited ..	232
Sawdust, slabs, etc, deposit of in streams prohibited; exceptions ..	230
Screens, providing for at outlets of ponds and lakes .....	222
Search and Seizure, relating to and making certain exemptions ....	249

	Page
<b>FISH AND GAME LAWS (Continued)</b>	
Seized fish and game, disposition of ..	249
report of, to be made to Com. ....	249
Sheriffs, invested with like authority as wardens .....	222
Size of fish, and weight of catch ....	226
Skins, fur-bearing animals, dealers in to be licensed .....	244
Smelts, regulations as to taking .....	228
Snakes, use of in trapping fur-bearing animals prohibited ....	236
Snipe, closed season on .....	238
Sora, closed time on .....	238
Sporting Camps, registration of, etc. ..	224
Suckers, permits for taking .....	228
regulations as to taking ..	228
Sunday Hunting, prohibited .....	246
Swan Island, (Sagadahoc Co.) .....	
hunting on, certain section prohibited ....	248
Taxidermists, licensing of, etc. ....	244
Tolling, by advance baiting, prohibited .....	229
Transportation, deer, relating to ....	233
sex, evidences of, to be preserved .....	234
ducks, relating to .....	239
fish, weight limited, etc. ....	229
moose, relating to .....	233
sex, evidences of, to be preserved ..	234
partridges, relating to .....	239
woodcock, relating to .....	239
Traps, bear, special provisions relating to .....	236
labelled, with owner's name, requiring .....	236
land owner, consent of must be obtained .....	236
visited, providing for every 24 hours .....	236
Trout, annual closed time on .....	225
Unorganized Townships, fur bearing animals, license must be obtained .....	236
Violations, settlements may be made by commissioners .....	250
Wardens, abuse of powers .....	250
appointment of .....	222
election of by towns .....	222
White Perch, closed time on .....	225
Wild Birds, introduction of into State prohibiting .....	247
protection of and exceptions .....	239
trapping of, prohibited ..	239
Woodcock, closed season on .....	238
transportation of .....	239
Yellow Perch, permits for taking ..	228

## FISH AND GAME COMMISSION

(See Inland)

## FISH WARDENS

Appointment of, by director, am. r. s. c. 45, § 2 .....

418

## FOREIGN INSURANCE

Mutual Companies, requiring payment of dividends at some place in state ..

178

## FOREIGN WILLS

(See Wills)

## FORESTRY DISTRICT

Revision of, amending r. s. c. 8, § 60 ..

121

	Page		Page
<b>FORGERY</b>		<b>HIGHWAY BRIDGES</b>	
Orders on savings banks, limitation of action, am. r. s. c. 52 .....	71	State and County, aid in construction of, am. P. L. 1915, c. 319 .....	441
<b>FORTIFICATIONS</b>		<b>HIGHWAY COMMISSION, STATE</b>	
Injury to, wanton, increasing penalty, am. r. s. c. 129, § 4 .....	96	European & No. Am. R.R., transfer of real estate by .....	154
Real Estate, governor may take for military purposes in times of public emergency .....	393	Jitney Busses, permits for operating .....	284
<b>FRATERNAL BENEFIT SOCIETIES</b>		Motor Vehicles, for carriage of passengers and freight, issuance of permits by .....	284
Children, may be insured in .....	6	<b>HOME GUARD (MAINE)</b>	
<b>G</b>		Organization of, providing for .....	397
<b>GAME LAWS</b>		<b>HORSES</b>	
(See Fish and Game)		Diseased or Disabled, prohibiting sale of .....	162
<b>GASOLINE TANKS</b>		Importation of, providing for acceptance of report of U. S. inspector or app. veterinarian, am. r. s. c. 35, § 10 .....	263
Sidewalks, installation of, am. r. s. c. 4, § 98 .....	46	<b>HOTELS</b>	
<b>GEORGES RIVER</b>		Lobster Licenses, may be issued to, am. r. s. c. 45, § 18 .....	266
Fish Wardens, election of for preservation of salmon, shad and alewives, am. P. L. 1844, c. 126 .....	125	<b>HOUSES OF CORRECTION</b>	
Weirs, location of in, relating to, am. P. L. 1844, c. 126 .....	126	Women inmates, transfer of to Reformatory for Women .....	335
<b>GRADE CROSSINGS</b>		<b>I</b>	
Abolishment or alteration of, am. r. s. c. 24, § 34 .....	30	<b>INHERITANCE TAXES</b>	
Automatic Signals, installation of, steam railroads .....	143	(See Succession Taxes)	
Speed of trains over, regulation of, am. r. s. c. 57, § 79 .....	171	<b>IMPROVED LANDS</b>	
Warning Signs, to be placed at ....	40	Trespasses on, including arboretum and botanic gardens, am. r. s. c. 129, § 19 .....	81
<b>GRAVES</b>		<b>INDIANS</b>	
Veterans (soldiers and sailors), municipalities to decorate .....	45	Passamaquoddy Tribe, relief of when in distress outside reservation .....	58
<b>GUARDIANS</b>		Penobscot Tribe, adopted, not to hold certain offices, am. r. s. c. 14, § 13 .....	93
Adults, (Incompetent) appointment of, am. r. s. c. 72, § 4 .....	164	<b>INDUSTRIAL BANKS</b>	
Appointment, relating to public notice of, am. r. s. c. 72, § 9 .....	115	Incorporation, etc., relating to .....	14
amending r. s. c. 67 .....	114	<b>INDUSTRIAL EDUCATION</b>	
<b>H</b>		Appropriation, relating to increase of, am. r. s. c. 16, § 139 .....	62
<b>HANCOCK COUNTY</b>		<b>INLAND FISHERIES AND GAME</b>	
Trial Courts, supreme judicial court, changing date of, am. r. s. c. 82, § 51 .....	261	(For Revision see Fish and Game Laws)	
<b>HEALTH, STATE DEPT.</b>		Commission abolished and office of "Commissioner" created; present laws made to conform ....	276
State Aid, construction of through Commissioner of, appointment and duties of .....	197	<b>INLAND FISH AND GAME WARDENS</b>	
Council, public health, membership and qualification .....	197	Assaults upon, am. r. s. c. 124, § 23 .....	13
Creation, powers and duties .....	196	<b>INSANE HOSPITALS</b>	
Districts, officers, duties, etc. ....	198	Patients, reception of, without certificate of municipal officers, am. r. s. c. 145, § 17 .....	91
Divisions, directors of, duties, etc. ....	198	residence, relating to retention of, am. r. s. c. 76, § 1 .....	193
Salaries, and expenditures .....	198	<b>INSANE PATIENTS</b>	
<b>HIGHWAY</b>		Absence from hospital, providing for extension of leave, am. r. s. c. 145, § 34 .....	70
Convicts of State Prison, employment on .....	195		
Railroad Crossings over, relating to approval of, am. r. s. c. 24, § 30 .....	29		
three or more towns ....	156		

	Page		Page
<b>INSPECTOR OF BUILDINGS</b>		<b>INTOXICATING LIQUORS (Cont.)</b>	
Election of, instead of appointment, relating to, am. r. s. c. 30, § 25 .....	62	Search and Seizure, increasing penalty, am. r. s. c. 127, § 29 .....	413
<b>INSPECTORS OF MILK</b>		Tipping Shops, increasing penalty, am. r. s. c. 127, § 24 .....	412
Duties of, providing for inspection of all dairy products, am. r. s. c. 37, § 12-13 .....	187	Transportation of, in State, jail sentence, obligatory, am. r. s. c. 127, § 20 .....	410
interference with, providing penalty for, am. r. s. c. 37 .....	187	Vehicles or Vessels, illegally transporting, to be confiscated ....	420
<b>INSURANCE</b>		<b>INVESTIGATION OF FIRES</b>	
Agents and brokers, license increased, am. r. s. c. 53, § 121-122 ..	20	Expenditures, maximum amount relating to, am. r. s. c. 30, § 55 .....	389
Brokers, special, appointment of without affidavit, am. r. s. c. 53, § 125 .....	50	<b>ITINERANT VENDORS</b>	
Children, in fraternal benefit societies	6	License fee, increasing to \$100; am. r. s. c. 41, § 14 .....	383
Commissioner of, increasing term to four years, am. r. s. c. 53, § 83 .....	204	<b>J</b>	
Dividends, of foreign mutual companies, payment at some place in state .....	178	<b>JEWELRY</b>	
Fire Companies, reserve fund, am. r. s. c. 53, § 88 .....	22	Mechanics lien on, creating. ....	420
Fires, investigation of, fixing maximum expenditure for, am. r. s. c. 30, § 55 .....	389	<b>JITNEY BUSES</b>	
Foreign Mutual Co., requiring payment of dividends at some place in state..	178	Operation of, permits to be issued ..	284
Life, benefits to be paid only in money .....	90	<b>JUDGE OF PROBATE</b>	
Marine Companies, reducing reserve fund, am. r. s. c. 53, § 88 .....	22	Androscoggin County, salary increased, am. r. s. c. 117, § 38 ....	416
Mutual Companies, retirement of guaranty capital, relating to, am. r. s. c. 53, § 57 ..	84	Salaries, payment of, relating to ...	167
amending r. s. c. 53, § 56 .....	10	Vacation, certain official acts permissible in, am. r. s. c. 67. 26	
Workmen's Compensation, approval of rates..	259	York County, salary of, increased, am. r. s. c. 117, § 38 ..	155
<b>INSURANCE COMMISSIONER</b>		<b>JUSTICES</b>	
Salary, payment of to be made weekly, am. r. s. c. 117, § 36 .....	280	Supreme Judicial Court, expenses of, reimbursement of counties by state, am. r. s. c. 117, § 5 .....	169
Tenure of office, increasing to four years, am. r. s. c. 53, § 83 .....	204	<b>JUVENILE INSTITUTIONS</b>	
<b>INTELLIGENCE OFFICE</b>		Commitment to State School for Boys and for Girls, relating to, amendatory	98
Location of, prohibiting in certain places, am. r. s. c. 42, § 6 .....	124	<b>K</b>	
<b>INTOXICATING LIQUORS</b>		<b>KENNEBEC COUNTY</b>	
Common sellers, penalty increased, am. r. s. c. 127, § 29 .....	413	Superior Court, stenographer's salary increased .....	280
Complaints, municipal officers' responsibility, evidences of sale, am. r. s. c. 127, § 45 .....	414	<b>KENNEBEC JOURNAL</b>	
Delivery of, by transportation companies, relating to receipt of consignee, am. r. s. c. 127, .....	207	State Paper, relating to .....	1
Employee of dealer, penalty increased .....	413	<b>KINDERGARTENS</b>	
Interstate Transportation, for illegal purposes, increasing penalty, am. r. s. c. 127, § 27 .....	412	Establishment of as part of the common schools, relating to petition for, am. r. s. c. 16, § 30 .....	119
Jail Sentences, made mandatory ...	409	<b>L</b>	
Loiterers, about streets, etc., with same on person .....	208	<b>LEASES</b>	
Peddlers and traveling dealers in, jail penalty mandatory, am. r. s. c. 127, § 19 .....	409	Casualties, damages by, actions for rent not to be maintained while building untenable, am. r. s. c. 99, § 10 .....	401

	Page		Page
<b>LIBRARY (FREE PUBLIC) (Continued)</b>		<b>MAINE HOME GUARD</b>	
Instruction, providing for at home		Organization of, providing for ....	397
library, am. r. s. c. 4, §		<b>MAINE REPORTS</b>	
82 .....	94	Price of, increasing to \$2.50 per vol-	
<b>TOWNS</b> , assistance in establishing.		ume .....	399
am. r. s. c. 4, § 81 .....	93	<b>MALICIOUS MISCHIEF</b>	
<b>State Stipend</b> , certification of grade		Armories, Breastworks, Fortifica-	
and state aid, am. r. s.		tions, Wharves, wanton injury to in-	
c. 4, § 78 .....	209	creasing penalty,	
<b>Village Corporations</b> , assessment of		am. r. s. c. 129, § 4 .....	96
tax for estab-		<b>Dams, Canals, Reservoirs, Mill Ma-</b>	
lishing, am. r.		chinery, Bridges, etc. Increasing pen-	
s. c. 4, § 75 ....	94	alty for wan-	
<b>LICENSED DETECTIVES</b>		ton injury to,	
Number of, increasing maximum		am. r. s. c. 129,	
limit to 35, am. r. s. c.		§ 10 .....	96
132, § 13 .....	200	<b>MANUFACTURING PLANTS</b>	
<b>LIFE INSURANCE</b>		Injury to, wanton, am. r. s. c. 129, §	
Benefits, payment of to be in money		10 .....	96
only .....	90	<b>MARRIAGE</b>	
<b>LIGHTS</b>		Feeble Minded Persons, prohibited,	
Electric cars, glare of to be controlled	390	am. r. s. c.	
<b>Motor Vehicles</b> , glare of to be con-		64, § 2 .....	33
trolled .....	390	License, issuance of before five days	
<b>Vehicles</b> , to carry .....	390	limit, in certain cases, am.	
<b>LIVE STOCK, SAN. COM.</b>		r. s. c. 64, § 4 .....	77
Calves, test of, when sold, relating		<b>MARINE INSURANCE CO.</b>	
to age of, am. r. s. c. 35, § 17	269	Reserve Fund, relating to, am. r. s.	
<b>Cattle</b> , importation of, relating to		c. 53, § 88 .....	22
examination of, am. r. s. c. 35,		<b>MATERNITY HOSPITALS</b>	
§ 18 .....	269	Defining, am. r. s. c. 64, § 58 .....	153
<b>Department of</b> , supervision, Agri-		Licensing of, exempting those under	
cultural Dept. not to		supervision of State	
have, am. r. s. c. 35,	162	Board of Charities and	
<b>Horses</b> , importation of, relating to		Corrections, am. r. s. c.	
tests of, am. r. s. c. 35, § 10	269	64, § 58 .....	173
<b>LOANS</b>		<b>MEASURE OF COMMODITIES</b>	
Small Loan Agencies, licensing of		Testing, relating to duties of sealer,	
and general		am. r. s. c. 45, § 24 .....	205
provisions ..	428	<b>MECHANICS LIEN</b>	
<b>LOAN AND BUILDING ASSN.</b>		Clocks, Jewelry and Watches, creating	420
Accumulated capital, increase of, am.		<b>MEDICAL EXAMINERS</b>	
r. s. c. 52, § 100	206	Cumberland, number increased to	
<b>Certificates</b> , duplicates, relating to		five, am. r. s. c. 141, § 1	281
issuance of .....	14	<b>Duties of</b> , more clearly defining, am.	
<b>Loans</b> , permitting to each other am.		r. s. c. 141 .....	281
r. s. c. 52, § 107 .....	25	<b>Number of</b> , providing for appoint-	
<b>Pass Books</b> , duplicates, relating to		ment of as many as ne-	
issuance of .....	14	cessary in each county,	
<b>LOBSTER</b>		am. r. s. c. 141, § 1 ....	281
Licenses, hotels, restaurants etc.		<b>York County</b> , number of increased to	
may be issued to, am. r. s.		four, am. r. s. c. 141, § 1	281
c. 45, § 18 .....	266	<b>MILL MACHINERY</b>	
<b>marketing</b> , by persons		Injury to, wanton, increasing pen-	
holding, without additional		alty, am. r. s. c. 129, § 10	96
license, am. r. s. c. 45, § 17	177	<b>MILL TAX HIGHWAY FUND</b>	
<b>removal of place of busi-</b>		Creation, disposition of etc, am. r. s.	
<b>ness</b> , may be granted on		c. 25, .....	317
written application, am. r.		<b>MILITARY SERVICE</b>	
s. c. 45, § 18 .....	18	Court Actions, against persons en-	
<b>Search and Seizure</b> , relating to and		gaged in, to be con-	
making appli-		tinued .....	391
cable, r. s. c. 45,		<b>MILITARY LAW REVISION</b>	
§ 3, am. r. s. c.		General Provisions	
45, § 28 .....	176	Accounts, payment and approval of	342
<b>Seed</b> , fixing maximum price and re-		<b>Additional Staff Officers</b> , a ppoint-	
quiring liberation near where		ment and	
caught, am. r. s. c. 45, § 36....	285	duties of..	325
<b>Transportation</b> , inspection of before		<b>Adjutant General</b> , rank and duties of	322
shipment and relat-		<b>Administrative Staff</b> , composition	
ing to marking of		and duties of	324
package, seizure, etc.	399	<b>Armories and Rifle Ranges</b> , provid-	
<b>Violation</b> , admissible evidence, am. r.		ing for	344
s. c. 45, § 24 .....	77	<b>Armory Commission</b> , composition of	345
<b>LUMBERING OPERATIONS</b>		<b>Arms, etc.</b> , relating to .....	350
Intention to Defraud, rep. r. s. c.			
128, § 12, ....	265		
<b>M</b>			
<b>MAINE FORESTRY DISTRICT</b>			
Revision of, am. r. s. c. 8, § 60 .....	121		

	Page
<b>MILITARY LAW REVISION (Continued)</b>	
Army Regulations, relating to .....	338
Arrest, exemption from .....	352
Attendance, medal for perfect record	340
Camps, fixing bounds and limits ....	353
Commissioned Officers, choice, au- thority, re- moval and retirement of, .....	330
Company By-Laws, relating to .....	354
Court Jurisdiction, relating to prose- cution of offenses before civil courts	354
Courts-Martial, kinds and procedure	346
Disability, claims for, .....	343
Discrimination, against members of organized militia, penalty .....	354
Employment, depriving members of organized militia of, ..	354
Enlistment in Nat'l Guard, tenure, qualifica- tions and general provi- sions ...	335
Equipment, relating to .....	350
Fund, annual appropriation for ....	342
Honorable Service, providing medal for	340
Instruction and Training, command- er-in-chief may order	339
Jury Duty, exemption from .....	352
Leaving or Entering State, prohib- ited un- less au- thorized	352
Marksmanship, proficiency, providing prizes for .....	340
Meritorious Conduct, certificate to be issued for ....	338
Military Organization, prohibiting other .....	353
Militia, calling out of .....	320
division of into three classes	318
enrollment, relating to ....	319
exemptions, relating to ....	318
organization of, relating to molestation of members of, penalty for .....	354
National Guard, composition of .....	318
organization and de- partments of .....	327
rules and articles governing, .....	356
training, relating to voluntary service prohibited .....	349
National Guard Assn., how made up	355
National Guard Reserve, organiza- tion, com- position, etc. ....	337
Naval Militia, administration, organ- ization, etc. ....	329
Notices for duty, relating to manner of giving .....	340
Pay and Allowances, enumeration of	340
Property, military, purchase of ....	326
Property and Disbursing Officer, appointment and duties of .....	323
Public Danger, procedure as to call- ing out military force, and authority for closing certain public places .....	339
Regulations, governor to make, must conform to U. S. rules	355
Rifle Ranges, providing for .....	344
Rights of Way, relating to .....	353
Special Inspection, commander-in- chief may order	338
State Armories, relating to .....	346

	Page
<b>MILITARY LAW REVISION (Continued)</b>	
Uniforms, Arms and Equipment, re- lat- ing to	350
<b>Rules and Articles Governing National Guard Courts</b>	
Definitions, making clear .....	356
Courts of Inquiry, composition of, challenges, oaths, etc. ....	372
nature of, when and by whom or- dered .....	372
powers and proce- dure, accused to have right of cross examina- tion .....	373
Courts-Martial, appointment .....	357
classification .....	356
composition .....	356
jurisdiction .....	357
limitations upon prosecution .....	362
Procedure .....	358
sentences, approval and confirmation of mitigation or remission of ..	364
suspension of forfeiture or confinement ...	364
<b>Miscellaneous Articles</b>	
Assistant Judge Advocate, authority and du- ties of..	376
Complaints of Wrongs, relating to..	376
Deceased Persons, effects of .....	375
Deserters, arrest of by civil officers..	374
Disciplinary Powers of commanding officer .....	373
Explanation of Articles, to be made to every en- listed man	375
Injuries to Persons or Property, redress of ...	374
Inquests, procedure .....	375
Oaths, administering of .....	376
Oath of Office, form of .....	375
Record of Trial, copy of to be fur- nished the person tried .....	375
Reporters and Interpreters, appoint- ment of	376
Separation from Service, officers, re- lating to..	376
soldiers, relating to	374
<b>Punitive Articles</b>	
Absence without Leave, penalty for	365
Confinement, arrest, investigation of charges, etc. ....	367
Delivery to civil Authorities, penalty for wil- ful re- fusal ...	368
Desertion, or aiding deserters, pen- alty for .....	365
Disorder, quarrels, frays, etc. ....	366
Disrespect, or wilful disobedience ..	366
Enlistment, fraudulent or unlawful	364
Mustering, falsifying, penalty for ....	364
returns, penalty for making false .....	365
Mutiny or Sedition, failure to sup- press .....	366
<b>War Offenses</b>	
Aiding Enemy, corresponding with, etc. ....	369

	Page		Page
<b>MILITARY LAW REVISION (Continued)</b>		<b>MOTOR VEHICLES (Continued)</b>	
Captured Property, disposition of, etc. ....	369	Evasion of Fares, on public, am. r. s. c. 57, § 8 .....	16
Conduct Unbecoming Officer, dismissal from service .....	372	Headlights, glare to be controlled ..	390
Countersign, improper use of .....	369	Identification Marks, to prevent defacement of ..	43
Dueling, participation in .....	370	Jitney Busses, permits for operation of, to be issued by Highway Com. ....	284
Drunk on Duty, punishment of ....	370	List of, return of, to be made by local assessors, changing date, am. r. s. c. 26, § 40 ...	212
Frauds against Government, relating to .....	371	Mufflers, prohibiting cut-out of in settled portions .....	286
General Articles, various offenses and trial of .....	372	Neutral Zones, fee for issuance of plates, am. r. s. c. 26, § 36 .....	169
Military Property, wilful damage to or loss of .....	369	Passengers or Freight, carriage of, permits to be issued by State Highway Com. ....	284
Misbehavior before Enemy, relating to .....	368	Reckless Driving, repealing provision as to revocation of license, am. r. s. c. 26, § 38 .....	211
Murder, jurisdiction and punishment ..	371	Registration Fee, maximum, H. P. of \$5.00 car decreased to 15 H. P. am. r. s. c. 26, § 23 .....	261
Rape, jurisdiction and punishment ..	371	Re-Registration, same plates may be issued, am. r. s. c. 26 .....	406
Safeguard, forcing of, penalty for ..	369	Revocation of Registration, new registration not to be issued for three years, am. r. s. c. 26, § 39 .....	212
Sale of Provisions, personal interest in or intimidation of persons bringing .....	370	Speed Regulations, procedure against violators of, am. r. s. c. 26, § 16 .....	210
Sentinels, misbehavior of, punishment of .....	370	Suspension of registration, pending appeal, am. r. s. c. 26, § 39 .....	212
Spies, trial and punishment of ....	369		
Surrender, subordinates compelling commander to .....	368	<b>MUNICIPAL COURT JUDGES</b>	
Various Crimes, enumeration of and trial for commitment of .....	371	Eligibility of, must be a member of bar in county where court is located ....	389
Wrongs to be Redressed, relating to ..	370		
<b>MILK</b>		<b>MUNICIPAL INDEBTEDNESS</b>	
Inspector of, duties made to include all dairy products; penalty for interference with, am. r. s. c. 37, § 12-13 .....	187	Sinking Fund, relating to when indebtedness is refunded, am. r. s. c. 4, § 60 .....	281
<b>MINORS</b>		<b>MURDER TRIALS</b>	
Custody of, in case of divorce or nullity of marriage, by third party, am. r. s. c. 65, § 14 .....	172	Copy of Proceedings, to be filed with Sec. of State to be used in pardon hearings, am. r. s. c. 136, § 29 .....	278
Parents living apart, am. r. s. c. 64, § 45 .....	6		
Employment of, work permit, issuance of, am. r. s. c. 49, § 21 .....	146	<b>MUTUAL FIRE INSURANCE</b>	
Savings Banks, payment of deposits to order of, am. r. s. c. 52, § 24 .....	65	Foreign Companies, dividend, requiring payment of at some place in State..	178
<b>MORATORIUM</b>		Guaranty Capital, retirement of, am. r. s. c. 53, § 57 ..	84
Suits in Court, granting to soldiers, etc. ....	391	amending r. s. c. 53, § 56 .....	10
<b>MOTHERS' PENSIONS</b>			
Aid, for mothers with dependent children .....	253	<b>N</b>	
<b>MORTGAGED PERSONAL PROPERTY</b>		<b>NATIONAL GUARD</b>	
Attachments of, relating to, am. r. s. c. 86, § 44-47 ..	164	Discrimination, against members of in public places, without cause ....	173
<b>MORTGAGES OF REAL ESTATE</b>		Pay of, to be supplemented by State ..	296
Foreclosure, affidavit, requiring filing of in registry of deeds, am. r. s. c. 95, § 4 .....	189		
Service by mortgagee, without possession, am. r. s. c. 95, § 5 .....	190		
Redemption, affidavit, by mortgagee, requiring filing of, am. r. s. c. 95, § 7 ..	191		
<b>MOTOR VEHICLES</b>			
Dealers & Manufacturers, permitting, loaning or letting of cars for period of five days without individual registration, am. r. s. c. 26, § 24 .....	42		



	Page
<b>NEAT CATTLE</b>	
Taxation of, relating to, am. r. s. c. 10, § 6 and c. 9, § 16 ..	405
<b>NEGLECTED CHILDREN</b>	
Protection of .....	422
<b>NEGOTIABLE INSTRUMENTS</b>	
Checks, relating to .....	310
Consideration, relating to .....	290
Discharge of, relating to .....	301
Dishonor, notice of, relating to .....	298
Form of, relating to .....	286
Holder, rights of, relating to .....	293
Holiday, computation of time when last day falls on .....	311
Interpretation of, relating to .....	286
Negotiation of, relating to .....	291
Parties, liabilities of .....	294
Payment, relating to presentment for .....	296
Primary Liability, relating to .....	311
Promissory Notes, relating to .....	310
"Reasonable Time", what constitutes .....	311
Terms, definition of .....	311
(See Bills of Exchange)	
<b>NEUTRAL AUTO ZONES</b>	
Plates, fee for issuance of, am. r. s. c. 26, § 36 .....	169
<b>"NON-PAR" CORPORATIONS</b>	
Organization of, providing for issuance of shares without nominal value, am. r. s. c. 51 ..	139
<b>NON RESIDENT FISHERMEN</b>	
License, requiring of .....	51
<b>NORMAL SCHOOLS</b>	
Support of, appropriation increased, am. r. s. c. 16, § 146 ....	51
Tuition, applicants to agree to teach first two years after grad. in state or pay .....	279
<b>NUISANCES</b>	
Abatement of, petition for, penalty, liability of owner of premises, etc., am. r. s. c. 23, § 1-4 .....	158
<b>NURSERY STOCK</b>	
Agents and Dealers, not growing all stock they sell, licenses required of, am. r. s. c. 38, § 7 ....	213
<b>NURSES</b>	
Registration, board of creating, am. r. s. c. 18 and c. 117 ..	148
Training School, inspector, salary of, am. r. s. c. 117, § 53 .....	152
<b>O</b>	
<b>OFFICE</b>	
Vacancies before qualification, relating to .....	90
<b>OFFICERS</b>	
Assaults upon or interference with, am. r. s. c. 124, § 23 ..	13
<b>OLD HOME WEEK</b>	
Date of, how fixed by towns, am. r. s. c. 40, § 38 .....	12
<b>ORDINANCES</b>	
Town, City, Village, etc., relating to, am. r. s. c. 4, § 98 .....	46

	Page
<b>OXFORD COUNTY</b>	
Register of Probate, clerk hire, increasing, am. r. s. c. 117, § 4b .....	270
Trial Term, supreme judicial court, am. r. s. c. 82, § 51 ....	59
<b>P</b>	
<b>PARDON HEARINGS</b>	
Murder cases, copy of court proceedings made available for use of, am. r. s. c. 136, § 29 .....	278
<b>PARLOR CARS</b>	
Taxation of, increasing rate of, am. r. s. c. 9, § 33 .....	208
<b>PAROLES</b>	
Advisory Board of, abolishing ....	195
<b>PASSAMAQUODDY INDIANS</b>	
Relief of, when found in distress outside of reservation ..	58
<b>PASSES</b>	
Public Utilities, issuance of to whom legal, am. r. s. c. 55, § 34 .....	408
<b>PAUPERS</b>	
Veterans of U. S. Service, including all pensioners discharged for disability, not to be treated as, am. r. s. c. 29, § 9 ....	201
<b>PAWN BROKERS</b>	
Licensing of, relating to .....	428
<b>PENOBSCOT BAY</b>	
Scallops, taking in, am. r. s. c. 45, § 67 .....	18
<b>PENOBSCOT INDIANS</b>	
Adopted, not to hold certain offices, am. r. s. c. 14, § 13 .....	93
<b>PENSIONS</b>	
Blind, relating to .....	438
Teachers, appropriation for increased, am. r. s. c. 16, § 176....	63
<b>PLACES OF PUB. ACCOMMODATION</b>	
Religious Creed, discrimination on account of .....	259
Sailors, discrimination against, ....	173
Soldiers, discrimination against ...	173
<b>POLL TAXES</b>	
Collection & commitment of, relating to, am. r. s. c. 11, § 1 ..	165
<b>POLLING DISTRICTS</b>	
Towns, division into (provisional)...	203
<b>POLLUTION</b>	
Water Supply, to prevent sources of ..from .....	75
<b>POOR DEBTORS</b>	
Bastardy, release from custody by oath of, am. r. s. c. 102, § 10 .....	161
Disclosure Court, municipal judges, relating to holding by, am. r. s. c. 115, § 23 .....	387
Jail, support of in, authority of county commissioners as to expense of, am. r. s. c. 115, § 82 ..	120

	Page		Page
<b>POST ROADS</b>		<b>PUBLIC UTILITIES COMMISSION</b>	
Federal Government, cooperation with in construction of ..	26	Connecting steam railroads, to require joint fares and through rates between ...	29
<b>PORTLAND MUNICIPAL COURT</b>		Grade Crossings, automatic signals, installation at ...	143
Recorder, clerk hire in office of increased, am. r. s. c. 117, § 45 .....	275	speed of trains over, regulation of, am. r. s. c. 57, § 79 .....	171
<b>POWDER</b>		Orders of, supreme judicial court to enforce, am. r. s. c. 55, § 47 .....	72
Possession and Sale of, to be recorded ....	407	Public Utilities, complaints against, defining procedure, am. r. s. c. 55, § 50 .....	101
<b>PRISON COMMISSION</b>		change of rates, notice of, relating to, am. r. s. c. 55, § 28-29 .....	119
Appointment of, providing for ....	194	Railroads, branch track, may order built, am. r. s. c. 56, § 30 .....	61
<b>PRISON AND JAIL INSPECTORS</b>		extensions, public hearing on, am. r. s. c. 56, § 14 ...	74
Board of, abolishing .....	195	inspection, providing for employment of some person, not a member of commission, am. r. s. c. 56, § 48 .....	39
<b>PROBATION OFFICERS</b>		taxation, returns for purposes of, changing date, am. r. s. c. 9, § 27 .....	34
Appointment of, without recommendation of county com., am. r. s. c. 137, § 10 .....	202	Railroad Com'rs'. Decrees, revision or rescission of, am. r. s. c. 55, § 57 ..	27
<b>PUBLIC ADMINISTRATORS</b>		Railroad Crossings, abolishment or alteration of, am. r. s. c. 24, § 34 .....	30
Claims against estates, payment of by, am. r. s. c. 68, § 31..	125	approval of, am. r. s. c. 24, § 30..	29
<b>PUBLIC BUILDINGS</b>		Rates, relating to notice of change of .....	35
Injury to, wanton, increasing penalty, am. r. s. c. 129, § 4 ..	96	Reports of, fixing number to be printed, am. r. s. c. 3, § 31 .....	79
Safeguards and Repairs, inspection of, am. r. s. c. 30, § 39 .....	37	Rulings, review of by court, am. r. s. c. 55, § 55 .....	22
<b>PUBLIC CONVEYANCES</b>		Steam Railroads, automatic signals, relating to installation of at highway crossings ..	143
Automobiles, evasion of fares, am. r. s. c. 57, § 8 .....	16	Street Railroads, charters, extension of by Com, relating to, am. r. s. c. 55, § 14 .....	57
Disorderly Conduct, on or about property of, am. r. s. c. 57, § 70-71 .....	161	Water Supply, to advise municipalities concerning the purification of .....	75
<b>PUBLIC EMERGENCIES</b>			
Eminent Domain, governor may take lands by right of for military purposes and cede to U. S. ....	393	<b>B</b>	
<b>PUBLIC HEALTH</b>		<b>RAILROAD CROSSINGS</b>	
Offenses against, pollution of water supply, increasing penalty for, am. r. s. c. 130, § 1 .....	95	Automatic signals, public utilities commission, authority to require .....	143
Venerereal Diseases, charitable and correctional institutions, cases in to be reported, am. r. s. c. 19, ..	435	<b>RAILROADS</b>	
<b>PUBLIC OFFICE</b>		Bonds of, savings banks, permitted to invest in, am. r. s. c. 52, § 27 .....	444
Vacancies, before qualification, relating to .....	90	Branch Tracks, public utilities com. may order built, am. r. s. c. 56, § 30 .....	61
<b>PUBLIC SAFETY</b>		Connecting Lines, steam, relating to joint fares and through rates between .....	29
Offenses against, pollution of water supply, increasing penalty for, am. r. s. c. 130, § 1 .....	95	Disorderly Conduct on, penalty for and authority of those in charge of, am. r. s. c. 57, § 70-71..	161
<b>PUBLIC UTILITIES</b>			
Accounts, changing date of closing	60		
Change of Rates, relating to notice of, am. r. s. c. 55, § 28-29 .....	119		
Complaints against, defining proceedings, am. r. s. c. 55, § 50 ..	101		
Free Service, extending scope of and made to include fire apparatus installed by individuals, am. r. s. c. 55, § 34 .....	408		

	Page
<b>RAILROADS (Continued)</b>	
Extensions, public hearing on, requiring, am. r. s. c. 56, § 14, 74	
Grade Crossings, automatic signals, installation at ... 143	
speed of trains over, to be regulated by public utilities com. am. r. s. c. 57, § 79 ..... 171	
Inspection of, providing for employment of some person not member of public utilities commission, am. r. s. c. 56, § 48 ... 39	
Physical Connection, between steam and electric lines, providing for ..... 38	
Street, charters, extension of by pub. utilities com., am. r. s. c. 58, § 14 ..... 57	
spurs, etc., approval of locations of, am. r. s. c. 58, § 8 ... 28	
Taxation, returns to public utilities com., date of, am. r. s. c. 9, § 27 ..... 34	
<b>RAILROAD COMMISSIONERS</b>	
Decrees, revision or rescission of by pub. utilities com., am. r. s. c. 55, § 57 ..... 27	
<b>RAILROAD CROSSINGS</b>	
Abolishment or alteration of, am. r. s. c. 24, § 34 ..... 30	
Locations, pub. utilities com. may grant or refuse, am. r. s. c. 24, § 30 ..... 29	
Warning Signs, to be placed at grades ..... 40	
<b>RATES</b>	
Public Utilities Com., notice of change of ... 35	
<b>REAL ESTATE</b>	
Attachments, discharge of, immediate record, requiring, am. r. s. c. 86, § 71 ... 390	
discharge of, on records of register of deeds ..... 168	
Contingent Remainders, sale of when subject to, am. r. s. c. 78, § 4-5 ..... 9	
Mortgages, affidavit, filing in registry of deeds in case of foreclosure, am. r. s. c. 95, § 4 ..... 189	
foreclosure, without possession, service by mortgagee, am. r. s. c. 95, § 5 ..... 190	
redemption, requiring affidavit by mortgagee, am. r. s. c. 95, § 7 ..... 191	
Sale of by order of court, bonds, conditions of when performed, am. r. s. c. 76 ... 406	
executors and administrators, relating to bonds of, am. r. s. c. 76, § 3 .... 79	
insane husband or wife, retention of residence while inmate of hospital, am. r. s. c. 76, § 1 192	

	Page
<b>REAL ESTATE (Continued)</b>	
notice of, relating to, am. c. 76, § 4 ..... 167	
Taxation, transmission lines classed as for purposes of, am. r. s. c. 10, § 3 ..... 42	
Title by Descent, husband or wife under guardianship, am. r. s. c. 80, § 19, ..... 5	
Transfers, registers of deeds to furnish municipal assessors with copy of record, am. r. s. c. 12, § 17 ..... 92	
registers of deeds, repealing provisions of chapter 121 P. L. 1917, as to transmission of copy to local assessors. .... 432	
<b>RECORDS</b>	
Savings Banks, prohibiting copying of by employees of ..... 85	
Trust Companies, prohibiting copying of by employees of ..... 85	
<b>REFORMATORY FOR WOMEN</b>	
Inmates, insane or feeble minded, transfer of, am. r. s. c. 139 ..... 68	
Transfer to, of women confined in other correctional institutions; procedure etc. .... 385	
<b>REGISTERS OF DEEDS</b>	
Androscoggin County, clerk hire, increasing amount of, am. r. s. c. 117, § 45 .... 156	
Aroostook County, (Southern), clerk hire, increasing am. r. s. c. 117, § 45 ..... 398	
Attachments, discharge of, record to be made immediately, am. r. s. c. 86, § 71 ... 390	
Real Estate, transfers of, to notify municipal assessors, am. r. s. c. 12, § 17 .... 92	
transfers of, repealing provisions of chap. 121, P. L. 1917, as to transmission of copy to local assessors .... 432	
Sagadahoc County, clerk hire, increased, am. r. s. c. 117, § 45 257	
Salary, payment of to be made monthly ..... 167	
<b>REGISTERS OF PROBATE</b>	
Oxford County, clerk hire, increasing, am. r. s. c. 117, § 45 ..... 270	
Sagadahoc County, clerk hire, increasing, am. r. s. c. 117, § 45 ... 257	
Salary, payment of to be made monthly ..... 167	
<b>REGISTERED NURSES</b>	
Board of, relating to ..... 148	
<b>REGISTRATION OF VOTERS</b>	
Challenges, summons, relating to, am. r. s. c. 5, § 20 ..... 270	
<b>RELIGIOUS CREEDS</b>	
Discrimination, against in places of public accommodation ..... 259	

	Page		Page
<b>RESERVED LANDS</b>		<b>SALARIES (Continued)</b>	
Grass and Timber, sale of, creating two funds from proceeds and providing for disposition of, am. r. s. c. 8, § 20-21 .....	379	Attorney General, payment of to be made weekly, am. r. s. c. 117, § 36 ..	280
Timber, sale of, approval of price and public notice of intention, am. r. s. c. 8, § 17 .....	187	Bank Commissioner, increasing to \$4,000, am. r. s. c. 117, § 19 ..	252
<b>RESERVOIRS</b>		payment of, to be made weekly, am. r. s. c. 117, § 36 .....	280
Injuries to, wanton, increasing penalty, am. r. s. c. 129, § 10 .....	96	Clerks of Court, payment of to be made monthly ..	167
<b>RESTAURANTS</b>		County Commissioners, payment of monthly, ..	167
Lobster licenses, may be issued to, am. r. s. c. 45, § 18 ..	266	amending r. s. c. 117, § 42 ..	32
<b>REVOLUTIONARY VETERANS' GRAVES</b> (See Burying Grounds)		County Officials, payment of relating to .....	167
<b>ROADS</b>		County Treasurer, payment of monthly, .....	167
Obstruction on, wanton, am. r. s. c. 129, § 10 .....	96	Cumberland County, asst. County attorney, increasing, am. r. s. c. 117, § 37 ..	193
<b>RURAL POST ROADS</b>		county attorney increasing, am. r. s. c. 117, § 37 ..	193
Federal Government, cooperation with in construction of, ..	26	superior court stenographer, increasing, am. r. s. c. 117, § 11 ..	280
<b>S</b>		Deputy Bank Commissioner, increasing, am. r. s. c. 117, § 19 ..	252
<b>SAFEGUARDS</b>		Deputy Supt. of Schools, increasing, am. r. s. c. 117, § 20 ..	175
Inspection of, am. r. s. c. 30, s. 39 ..	37	Health, State Dept., relating to ..	198
<b>SAILORS</b>		Insurance Com., payment of to be made weekly, am. r. s. c. 117, § 36 .....	280
Burial Expenses, of those honorably discharged from U. S. service, payment of by municipalities, am. r. s. c. 4, § 51-52 ..	47	Judge of Probate, payment of to be made monthly ..	167
Dependent Families, aid of, towns, etc. to furnish; reimbursement by State. ....	394	Kennebec County, superior court stenographer, increasing .....	280
Discrimination against, in public places without cause ..	173	Register of Deeds, payment of to be made monthly ..	167
Graves of Veterans, municipalities to decorate ...	45	Register of Probate, payment of to be made monthly .....	167
Paupers, veterans of U. S. service including pensioners discharged for disability, not to be treated as, am. r. s. c. 29, § 9 .....	201	Secretary of State, payment of to be made weekly, am. r. s. c. 117, § 36 .....	280
Pay of, in U. S. service to be supplemented by State, .....	396	Sheriffs, payment of to be made monthly .....	167
<b>SAGadahoc COUNTY</b>		State Assessors, clerk of increasing, am. r. s. c. 117, § 32 ..	178
Register of Deeds, clerk hire in office of, increasing, am. r. s. c. 117, § 45 .....	257	State Auditor, increasing, am. r. s. c. 117, § 17 .....	199
Register of Probate, clerk hire in office of, increased, am. r. s. c. 117, § 45, ..	257	State Treasurer, increasing, am. r. s. c. 117, § 16 .....	196
<b>SALARIES</b>		Supreme Court, stenographers, increasing, am. r. s. c. 117, § 10 .....	216
Agriculture, Commissioner of, payment of to be made weekly, am. r. s. c. 117, § 36 .....	280	York County, judge of probate, increasing .....	155
Androscoggin County, judge of probate, salary increased, am. r. s. c. 117, § 45 ..	257	<b>SAVINGS BANKS</b>	
superior court justice, relating to .....	379	Deposits in, amount, increasing maximum limit, am. r. s. c. 52, § 22 .....	86
superior court stenographer ..	379	Deposit Books, duplicate, authorizing issuance of, am. r. s. c. 52, § 26 .....	3
Assignment of, as security for loans ..	431	Electric Railroad Bonds, of this and certain other states, permitting investment in, am. r. s. c. 52, § 27 ..	147

	Page
<b>SAVINGS BANKS (Continued)</b>	
Farm Loan Banks, permitting investment in bonds of, am. r. s. c. 52, § 27 ....	36
Forged Orders, action to be begun upon within three years, am. r. s. c. 52	71
Minors, payment of deposits to, am. r. s. c. 52, § 24 .....	65
Public Service Bonds, electric light and power and electric railroad light and power companies, permitting investment in, am. r. s. c. 52, § 27 .....	17
Railroad Bonds, permitting investment in, am. r. s. c. 52, § 27 .....	444
Records, prohibiting employees making copies of for personal use, .....	85
Securities, relating to taking out of state temporarily, am. r. s. c. 52, § 43 .....	65
holding of, not authorized by law, am. r. s. c. 52, § 27 .....	64
Trustees, compensation of, relating to, am. r. s. c. 52, § 19 ....	2
<b>SAVINGS INSTITUTIONS</b>	
Deposits in, amount, maximum limit increased, am. r. s. c. 52, § 22 .....	86
<b>SCALLOPS</b>	
Bagaduce River, taking in, am. r. s. c. 45, § 67 .....	18
closed time on, am. r. s. c. 45, § 67 ....	18
Fenobscot Bay, taking in, am. r. s. c. 45, § 67 .....	18
<b>SCHOOLS</b>	
Agents in Unorganized Townships, expenditure for increased, am. r. s. c. 16, § 117 .....	41
Buildings, plans for construction or remodeling when cost exceeds \$500., to be approved, am. r. s. c. 16, § 14 ..	49
Equalization Fund, additions made to from income from reserved lands, am. r. s. c. 8, § 20 .....	379
Industrial Education, increasing annual appropriation for, am. r. s. c. 16, § 139 .....	62
Kindergartens, establishment of, relating to petition for, .....	119
Normal and Training, support of, increasing appropriation, am. r. s. c. 16, § 146 .....	51
Principles of Humanity, teaching of in, am. r. s. c. 16, § 108 .....	263
Reserved Lands, income from, made two separate funds for use of, am. r. s. c. 8, § 20 and 21 ..	379

	Page
<b>SCHOOLS (Continued)</b>	
Secondary Schools, maximum amount of tuition to be paid by towns not supporting, increased, am. r. s. c. 16, § 85 ..	263
Supervisory Unions, re-districting of state by state supt. for purposes of, am. r. s. c. 16	181
Teachers' Co. Conventions, increasing appropriation for, am. r. s. c. 16, § 110 .....	48
Teachers' Registration, at office of state supt. ..	120
Tuition, secondary schools, maximum to be paid by towns not supporting, increased, am. r. s. c. 16, § 85 .....	263
amending r. s. c. 16, § 75 ..	54
Unorganized Townships, agents, expenditure for increased, am. r. s. c. 16, § 117 .....	41
maintenance of schools in, increasing appropriation for, am. r. s. c. 16, § 118 ..	51
<b>SCHOOLS, STATE DEPT.</b>	
Deputy Supt., increasing salary of, am. r. s. c. 117, § 20	175
Supervisory Unions, re-districting of, by state supt. am. r. s. c. 16 .....	181
<b>SEA AND SHORE FISHERIES</b>	
Commissioner, office of abolished and commission of three created .....	416
Director of, creating office .....	418
<b>SEALER OF WEIGHTS AND MEASURES</b>	
Commodities, testing of, am. r. s. c. 48, § 24 .....	205
Local, election of for indefinite term, am. r. s. c. 48, § 8 .....	48
powers of, increasing, am. r. s. c. 48, .....	27
<b>SECONDARY SCHOOLS</b>	
Inspection of, expenditure for, am. r. s. c. 16, § 76 .....	84
<b>SECRETARY OF STATE</b>	
Salary, payment of, to be made weekly am. r. s. c. 117, § 36..	280
<b>SEED</b>	
Certification of, authorizing expenditure by com. of agriculture .....	125
<b>SEED LOBSTERS</b>	
Price of, fixing maximum and requiring liberation near where caught, am. r. s. c. 45, § 36 .....	285
<b>SENTENCE</b>	
Criminal, relating to imposition and execution of, am. r. s. c. 137, § 1 .....	169

	Page		Page
<b>SHERIFF</b>		<b>STATE &amp; STATE AID HIGHWAYS (Cont.)</b>	
Taxation of, am. r. s. c. 10, § 6 and c. 9, § 16 .....	405	Detour Roads, establishment and maintenance of, am. r. s. c. 25, § 6 .....	312
<b>SHERIFFS</b>		Expenditures, supervision of by governor and council, am. r. s. c. 25, § 6 ...	312
Bonds, surety on, relating to, am. r. s. c. 85, § 1 .....	8	Expense of Construction, fund how created, am. r. s. c. 25, § 7 ..	313
Salary, payment of to be made monthly .....	167	Fund, creation and administration of, providing for additions to, am. r. s. c. 25, § 33 .....	316
Special Deputies, appointment and compensation of..	392	Increased Aid, distribution, preference given to towns not having received am. r. s. c. 25, § 21 ..	315
<b>SIDEWALKS</b>		special road fund, for aid of towns with excessive highway burden, am. r. s. c. 25, § 21 .....	315
Awnings over, relating to, am. r. s. c. 4, § 98 .....	46	Maintenance & Administration Fund, abolishing in g. r. e. pealing r. s. c. 25, § 35 ..	317
Gasoline Tanks, installation of, am. r. s. c. 4, § 98 .....	46	Mill Tax Highway Fund, assessment and collection of, additional to r. s. c. 25, § 318	
Snow, removal of, am. r. s. c. 4, § 98 ..	46	balances, providing for the carrying over of, add. r. s. c. 25 .....	318
<b>SMALL LOAN AGENCIES</b>		business street, not to be used on, add. r. s. c. 25, .....	318
Licensing, general provisions, .....	428	creation and disposition of, add. r. s. c. 25 .....	317
<b>SHERLTS</b>		<b>STATE ASSESSORS</b>	
West Bay & West Bay Stream, repealing exception as to taking in, am. r. s. c. 45, § 74 ...	57	Clerk of, salary increased, am. r. s. c. 117, § 82 .....	178
<b>SOLDIERS</b>		Taxes, reassessment of, providing for employment of assistance by, am. r. s. c. 9, § 10...	19
Burial Expenses, of all honorably discharged from U. S. service, payment by municipalities, am. r. s. c. 4, § 51-52 .....	47	Unorganized Townships, taxes, assessment and collection of ...	283
Dependent Families, aid, towns, etc, to furnish to; reimbursement by state .....	394	<b>STATE AUDITOR</b>	
Discrimination against, in public places without cause ..	173	Salary, increase in, am. r. s. c. 117, § 17 .....	199
Graves of Veterans, municipalities to decorate ..	45	<b>STATE CONTINGENT FUND</b>	
Faupers, veterans of U. S. service, including pensioners discharged for disability, not to be treated as, am. r. s. c. 29, § 9 .....	201	(See Contingent Fund)	
Pay of, in U. S. service, to be supplemented by state .....	396	<b>STATE DEPARTMENTS</b>	
<b>SPECIAL ADMINISTRATOR</b>		Expenses of, budget estimates, changing date of and requiring copy to be filed with the governor, am. r. s. c. 2, § 92 ..	273
Appointment of, am. r. s. c. 68, § 34 ..	33	Public Utilities Com., reports of, changing maximum number to be printed, am. r. s. c. 3, § 31 ..	79
Corporations, powers in businesses of, am. r. s. c. 68, § 35 ..	21		
<b>SPECIAL CONSTABLE</b>			
Defense of State, governor to appoint for purposes of, .....	403		
<b>SPECIAL DEPUTY SHERIFFS</b>			
Appointment of, in times of crises..	392		
<b>STATE AID INSTITUTIONS</b>			
Budget Estimates, changing date of filing, am. r. s. c. 2, § 93 .....	274		
<b>STATE AND STATE AID HIGHWAYS</b>			
Apportionment, aid to towns increased, am. r. s. c. 25, § 20 .....	314		
Appropriation for 1917, am. r. s. c. 25 ..	317		
Construction Contracts, providing for letting without advertising for bids, am. r. s. c. 25, § 10 ...	313		

	Page		Page
<b>STATE DEPARTMENTS AND INSTITUTIONS</b>		<b>STATE TREASURER</b>	
Budget estimates, tabulation of, to be submitted to governor and legislature, am. r. s. c. 2, § 94 .....	274	Salary, increasing, am. r. s. c. 117, § 16 .....	196
<b>STATE EMPLOYEES</b>		Temporary Loan, authorizing in behalf of State on approval of governor and council..	203
Workmen's Compensation, to come under provisions of, 264		<b>STATIONARY ENGINEERS</b>	
<b>STATE EXPENSES</b>		Licensing, in places of 40,000 and over .....	381
Emergency Appropriations, state auditor to present list of to legislature ...	170	<b>STEAMBOATS</b>	
<b>STATE FUNDS</b>		Disorderly conduct, on or about property of, am. r. s. c. 57, § 70-71	161
Deposit of, in any one institution, limited, am. r. s. c. 2, § 62 .....	71	<b>STEAM ENGINEERS</b>	
<b>STATE LIBRARY</b>		Licensing, requiring in places of 40,000 and over; exceptions	381
Legislative Reference Bureau, providing for ..	97	<b>STEAM RAILROADS</b>	
<b>STATE PAPER</b>		Physical connection with electric railroads, providing for .....	38
Kennebec Journal, creating .....	1	<b>STENOGRAPHERS</b>	
<b>STATE PRISON</b>		Superior Court, Androscoggin County, salary .....	379
Highways, employment of prisoners on .....	196	Cumberland County, increasing salary, am. r. s. c. 117, § 11	280
Rewards, for apprehension of escaped prisoners .....	195	Kennebec County, increasing salary ..	280
Warden, appointment, relating to ..	194	Supreme Court, salary increased, am. r. s. c. 117, § 10	216
salary, relating to .....	194	<b>STOCKHOLDERS</b>	
Women Inmates, transfer of to Reformatory for Women .....	385	Banks, list of, not to be returned to sec. of state, rep. r. s. c. 51, § 27 .....	81
<b>STATE SANATORIUM</b>		<b>STREET RAILROADS</b>	
Admission of Patients, payment by, and providing that preference be not given to those able to pay, am. r. s. c. 146, § 5...	384	Charters, extension of, by public utilities com. am. r. s. c. 58, § 14 .....	57
<b>STATE SCHOOL FOR BOYS</b>		Locations, additional, approval of, am. r. s. c. 58, § 8 .....	28
Commitment, age limits changed, am. r. s. c. 144, § 3 .....	98	Unclaimed Baggage, making applicable certain statutes am. r. s. c. 58, § 24 ..	199
Feeble Minded Inmates, providing for transfer of .....	99	<b>SUCCESSION TAXES</b>	
Indeterminate Sentences, repealing provisions as to, am. r. s. c. 137, § 25 .....	100	Non-Residents' Estates, repealing certain provisions as to exceptions, am. r. s. c. 69, § 1, 22, 24 ..	386
Superintendent, salary increased, am. r. s. c. 117, § 29	100	<b>SUITS IN COURT</b>	
<b>STATE SCHOOL FOR GIRLS</b>		Military Service, actions against persons in to be continued .....	391
Commitment, age limits changed, am. r. s. c. 144, § 20 ..	98	<b>SUPERIOR COURT</b>	
woman attendant, to accompany girl to school, am. c. 144, § 20	265	Androscoggin County, establishment of at Auburn justice's salary, relating to .....	379
Feeble Minded Inmates, providing for transfer of .....	99	stenographer's salary	379
Incorrigible Inmates, providing for transfer to Reformatory for Women ..	99	Cumberland County, stenographer's salary, increased, am. r. s. c. 117, § 11 .....	280
Insane Inmates, providing for transfer of .....	98	Kennebec County, stenographer's salary increased ..	280
		<b>SUPERVISORY SCHOOL DISTRICTS</b>	
		Unions, compulsory, providing for re-districting of towns by State Supt., am. r. s. c. 16 ..	181
		<b>SUPREME JUDICIAL COURT</b>	
		Justices, expenses of, providing for reimbursement of counties by State, am. r. s. c. 117, § 5 .....	169

	Page		Page
<b>SUPREME JUDICIAL COURT (Continued)</b>		<b>TELEPHONE LINES</b>	
Public Utilities Com., orders of to be enforced by, am. r. s. c. 55, § 47 .....	72	Injury to, wanton, am. r. s. c. 129, § 10 .....	96
Stenographers, salaries of increased, am. r. s. c. 117, § 10 .....	215	<b>TEMPORARY LOANS</b>	
Trial Terms, Aroostook County, am. r. s. c. 82, § 51 .....	209	County Commissioners, authority of, am. r. s. c. 83, § 21, ...	45
Wancock County, changing date of, am. r. s. c. 82, § 51 .....	261	State Treasurer, authorized to negotiate on behalf of State on approval of governor and council .....	203
Oxford County, am. r. s. c. 82, § 51, .....	59	<b>TIMBER</b>	
<b>SURETY BONDS</b>		Wild lands, sale of, am. r. s. c. 8, § 17 .....	187
Administrators and Executors, for sale of real estate, relating to, am. r. s. c. 76, § 3 .....	79	<b>TITLE BY DESCENT</b>	
County Officials, premiums to be paid by counties, am. r. s. c. 53, § 157 .....	74	Real Estate, owner resident in State, husband or wife under guardianship, am. r. s. c. 80, § 19 .....	5
Sheriffs, surety on, relating to, am. r. s. c. 85, § 1 .....	8	<b>TOWNS</b>	
<b>SWINE</b>		Advertising, natural resources, granting authority to, am. r. s. c. 4, § 59 .....	68
Taxation of, am. r. s. c. 10, § 6 and c. 9, § 16 .....	405	Libraries (free public), assistance in establishing, am. r. s. c. 4, § 81 .....	93
<b>T</b>		Ordinances, relating to, am. r. s. c. 4, § 98 .....	46
<b>TAXES</b>		Polling Districts, authorizing division into (provisional) .....	203
Transmission Lines, of light and power companies, classed as real estate for purposes of, am. r. s. c. 10, § 3 .....	42	Secondary Schools, increasing amount of tuition, to be paid by those not supporting, am. r. s. c. 16 § 85 .....	263
Commitment of, in incorporated places, am. r. s. c. 11, § 1 .....	166	Sinking Fund, relating to when indebtedness is refunded, am. r. s. c. 4, § 60 .....	281
Neat Cattle, exemption of, changing age limit and relating to return of, am. r. s. c. 10, § 6, and c. 9, § 16 .....	405	<b>TOWN CLERKS</b>	
Parlor Cars, increasing rate of, am. r. s. c. 9, § 33 .....	208	Burial Permits, compensation for issuance of, am. r. s. c. 118, § 20 .....	12
Re-assessment of, state assessors may employ assistance for at expense of municipalities, am. r. s. c. 9, § 10 .....	19	Deaths, copy of record, to transmit to birthplace of deceased, am. r. s. c. 64, § 28 .....	24
Sheep, exemption of, changing number of and relating to return of, am. r. s. c. 10, § 6 and c. 9, § 16 .....	405	<b>TRAINING SCHOOLS</b>	
Unorganized Townships, collection and assessment of ..	283	Support of, increasing appropriation for, am. r. s. c. 16, § 146 .....	51
<b>TAXICAB</b>		<b>TRANSMISSION LINES</b>	
Fares, evasion of, am. r. s. c. 57, § 8 ..	16	Taxation, classed as real estate for purposes of, am. r. s. c. 10, § 3 .....	42
<b>TEACHERS</b>		<b>TRESPASSES</b>	
County Convention, increasing appropriation for, am. r. s. c. 16, § 110 .....	48	Improved Lands, prohibiting entrance upon arboretum or botanic garden, am. r. s. c. 129, § 19 .....	81
Pensions, increasing annual appropriation for, am. r. s. c. 16, § 176 .....	63	Malicious, increasing penalty for wanton injury to dams, bridges, etc., am. r. s. c. 129, § 10 .....	96
Principles of Humanity, relating to instruction by, am. r. s. c. 16, § 108 .....	263	<b>TRIAL COURTS</b>	
Registration of, providing for at office of State Supt. ...	120	Supreme Judicial Court, Aroostook County, relating to, am. r. s. c. 82, § 51 ..	209
<b>TEACHERS' PENSIONS</b>		Wancock County, changing date of, am. r. s. c. 82, § 51 .....	261
Appropriation, increasing, am. r. s. c. 16, § 176 .....	63	Oxford County, relating to, am. r. s. c. 82, § 51 .....	59
<b>TELEGRAPH LINES</b>			
Injury to, wanton, am. r. s. c. 129, § 10 .....	96		



	Page		Page
<b>TRUANT OFFICER</b>		<b>VOCATIONAL EDUCATION</b>	
Attendance Officer, designation changed to ....	279	Board of, providing for appointment of .....	179
<b>TRUST COMPANIES</b>		Teachers, preparation of in cooperation with Federal govt... ..	179
Capital Stock, relating to increase of, am. r. s. c. 52, § 72 .....	3	<b>VOID MARRIAGES</b>	
Deposit Books, duplicate, authorizing issuance of, am. r. s. c. 52, § 26 .....	3	Feeble Minded Persons, relating to, am. r. s. c. 64, § 2 .....	33
False Returns, by officers or employees of, am. r. s. c. 52, § 73 .....	4	<b>VOLUNTEERS</b>	
Forged Orders, limitation of action on, add. r. s. c. 52 .....	71	Dependent Families, aid of, towns, etc., to furnish; reimbursement by state .....	394
Records, prohibiting employees making copies of for personal use .....	85	<b>VOTING</b>	
<b>TRUSTEES</b>		Challenge, note of to be made on ballot .....	54
Savings Banks, relating to compensation of, am. r. s. c. 52, § 19 .....	1	Check List, return of to clerk .....	37
<b>TUBERCULOSIS SANATORIUMS</b>		Method, obviating use of stickers and providing for checking of candidates' names .....	446
(See State Sanatorium)		Polling Districts, division of towns into, (provisional) .....	203
<b>U</b>		Qualification, women included, am. r. s. c. 5, § 2 etc. (provisional) .....	408
<b>UNCLAIMED BAGGAGE</b>		Registration, cities of 3,000 and over, am. r. s. c. 5, § 5, and 40 .....	44
Street Railroads, application of certain statutes to, concerning, am. r. s. c. 58, § 24 .....	199	cities of 35,000 and over, am. r. s. c. 5, § 19 .....	55
<b>UNIFORM BILLS OF LADING</b>		town of last voting residence to be notified, am. r. s. c. 5 .....	84
(See Bills of Lading)		Repeating, and giving of false information, am. r. s. c. 7, § 116 .....	165
<b>UNIFORM WAREHOUSE RECEIPTS</b>		<b>W</b>	
(See Warehouse Receipts)		<b>WAGES</b>	
<b>UNORGANIZED TOWNSHIPS</b>		Assignment of, as security for loans .....	431
Schools, agent, increasing amount that may be expended for, am. r. s. c. 16, § 117 .....	41	<b>WAR FUND</b>	
maintenance, increasing appropriation for, am. r. s. c. 16, § 118 .....	51	Bond and note issue, to amount of one million dollars, authorizing .....	180
Taxes, assessment and collection of .....	283	<b>WARDENS</b>	
<b>V</b>		Assaults upon, inland fish and game, am. r. s. c. 124, § 23 .....	13
<b>VACANCIES</b>		<b>WAREHOUSE RECEIPTS</b>	
Office, public, relating to, .....	90	Criminal Offenses, relating to .....	137
<b>VETERANS</b>		Interpretation, relating to .....	138
Burial Expenses, payment of by municipalities, am. r. s. c. 4, § 51 and 52 .....	47	Issue of, relating to .....	127
<b>VEHICLES</b>		Negotiation and Transfer of, relating to .....	135
Intoxicating Liquor, illegally transporting to be forfeited .....	420	Warehousemen, obligations and rights of, upon .....	129
Lights, requiring carrying of and providing exceptions .....	390	<b>WARNING SIGNS</b>	
<b>VENEREAL DISEASES</b>		Grade Railroad Crossings, to be installed at, .....	40
Charitable and Cor. Inst., cases in to be reported, am. r. s. c. 19 .....	435	<b>WASHINGTON COUNTY</b>	
<b>VETERANS</b>		Co. Com. Court, changing date of, am. r. s. c. 83, § 5 .....	2
Paupers, not to be deemed as, including all pensioners of U. S. service, am. r. s. c. 29, § 9 .....	201	<b>WATCHES</b>	
<b>VILLAGE CORPORATIONS</b>		Mechanics' Lien on, creating .....	420
Libraries (free public), assessment of tax for founding, am. r. s. c. 4, § 75 .....	94	<b>WATER SUPPLY</b>	
<b>VITAL STATISTICS</b>		Injury to Pipes, etc., am. r. s. c. 129 § 4 .....	96
Registration of, am. r. s. c. 64, § 28, 24 .....	24	Pollution of, used for domestic purposes, increasing penalty for, am. r. s. c. 130, § 1 .....	95
		Public Utilities Com., to advise municipalities as to purification of .....	75

	Page		Page
<b>WEAPONS</b>		<b>WOMAN'S SUFFRAGE</b>	
License, required for carrying ....	216	Inconsistent Statutes, made to conform (provisional) am. r. s. c. 5, § 2 ..	408
<b>WEIGHTS AND MEASURES</b>			
(See Sealer of)			
<b>WEIGHT OF COMMODITIES</b>		<b>WORKMEN'S COMPENSATION</b>	
Testing of, duties of sealer, am. r. s. c. 48, § 24 .....	205	Fire Depts., substitution for compensation of injured members, am. r. s. c. 50, § 6 .....	275
<b>WEST BAY</b>		Insurance Rates, providing for approval of .....	259
Smelts, repealing exception as to taking in, am. r. s. c. 45, § 74 .....	57	State Employees, to come under provisions of .....	264
<b>WHEARVES</b>		<b>WRITS</b>	
Injury to, wanton, increasing penalty, am. r. s. c. 129, § 4 ..	96	Blank, prohibiting the issuance of to any but attorneys, etc. ....	73
<b>WHITE FINE BLISTER RUST</b>		Corporations, service upon, relating to time of, am. r. s. c. 86, § 19 .....	188
Eradication of and control of fungous pests .....	173		
<b>WILD LANDS</b>			
Timber, sale of, approval of price and public notice of intention, am. r. s. c. 8, § 17 ....	187		
<b>WILLS</b>			
Foreign, providing for acceptance of copy in lieu of original ...	67		
Married Women, disposition of property by, am. r. s. c. 79, § 1 .....	13	<b>Y</b>	
Widow, disposition of property by, am. r. s. c. 79, § 1 .....	13	<b>YORK COUNTY</b>	
<b>WOMEN PRISONERS</b>		County Com. Courts, date and place of holding, am. r. s. c. 83, § 5 ..	83
Transfer of, to Reformatory for Women of those serving sentence in other correctional institutions .....	385	Judge of Probate, increasing salary, am. r. s. c. 117, § 38 .....	155
		Medical Examiners, number of increased to four, am. r. s. c. 141, § 1 .....	281

# Index to Private and Special Laws.

	Page		Page
<b>A</b>		<b>APPROPRIATION BILL (Continued)</b>	
<b>ABOU BEN ADHEM LODGE</b>		Treasurer of State .....	610
Odd Fellows, acts of incorporation		Trustees .....	611
ratifying .....	639	University of Maine .....	613
<b>ABYSSINIAN CHURCH</b>		<b>APPROPRIATION BILL</b>	
Portland, making valid organization		(Supplementary 1917)	
and authorizing conveyance of real estate .....	454	Adjutant Gen. Dept. ....	710
<b>ACADIA LANDING</b>		Agricultural Dept. ....	710
Organization, ratified and additional		Auditor .....	713
powers granted .....	558	Augusta State Hospital .....	710
<b>ALEWIVES</b>		Bank Commissioner .....	710
Patton's Bay, am. act protecting in ..	478	Charitable and Benev. Insts. ....	711
<b>AMERICAN REALTY CO.</b>		Educational Dept. ....	712
St. John River, booms and piers,		Executive Dept. ....	711
authorizing of, in ..	517	Health, State Board of .....	713
<b>AMERICAN THREAD CO.</b>		Inspector of Steam Vessels .....	711
Bridge, authorizing erection of in		Insurance Dept. ....	711
town of Milo .....	640	Land Agent and Forest Com. ....	711
<b>ANDROSCOGGIN VALLEY R. R. CO.</b>		Library .....	712
Charter, extending .....	495	Medicine, Board of registration of ..	710
<b>APPROPRIATION BILL</b>		Penobscot Indians .....	712
(Emergency 1917)		Public Utilities Com. ....	712
Adjutant General's Dept. ....	599	Reformatory for Women .....	712
Agriculture, Dept. of .....	600	Secretary of State .....	712
Arbitration and Conciliation .....	605	Superior Court .....	712
Assessors, State .....	600	Supreme Judicial Court .....	713
Attorney General's Dept. ....	599	Treasurer of State .....	713
Auditor .....	605	Waldo Co. Book of Plans .....	710
Augusta State Hospital .....	611	<b>APPROPRIATION BILL</b>	
Bangor State Hospital, .....	612	(1918)	
Bank Com. Dept. ....	599	Adjutant General's Dept. ....	616
Bath Military and Naval Orphan		Agricultural Dept. ....	617
Asylum .....	612	Assessors, State .....	617
Charitable, Benevolent and Educa-		Attorney General's Dept. ....	616
tional Insts. ....	614	Auditor .....	621
Charities and Corrections .....	605	Augusta State Hospital .....	625
County Attorneys .....	601	Arbitration and Conciliation .....	622
Deaf, School for .....	612	Bangor State Hospital .....	626
Dental Examiners .....	600	Banking Dept. ....	616
Education, Dept. of .....	608	Bath Military and Naval Orphan	
Estimates (Auditor) .....	611	Asylum .....	626
Executive Dept. ....	602	Charities and Corrections .....	622
Feeble Minded, School for .....	612	Charitable, Benev. and Educa. Insts. ....	628
Health, State Board of .....	605	County Attorneys .....	618
Highway Commission .....	605	Deaf, Maine School for .....	626
Historian (State) .....	605	Education, Dept. of .....	622
Industrial Accident .....	603	Estimates, Auditors .....	625
Inland Fish and Game .....	603	Executive Dept. ....	618
Insurance Dept. ....	603	Feeble Minded, School for .....	626
Labor and Industry .....	601	Highway Com. ....	622
Land Agent and Forest Com. ....	603	Health, State Board .....	622
Library .....	603	Inland Fish and Game Com. ....	620
Passamaquoddy Indians .....	604	Industrial Accident .....	619
Penobscot Indians .....	604	Inspector of State Prison and Jails ..	619
Public Buildings, Supt. of .....	609	Inspector, Steam Vessels .....	619
Public Utilities Com. ....	604	Insurance Dept. ....	620
Reformatory for Women .....	613	Labor and Industry .....	618
Sanatoriums .....	613	Land Agent and Forest Com. ....	620
School for Boys .....	613	Library .....	620
School for Girls .....	613	Passamaquoddy Indians .....	620
Sea and Shore Fisheries .....	604	Penobscot Indians .....	620
Secretary of State .....	604	People's Ferry Co. ....	629
Specials .....	615	Public Buildings, Supt. of .....	624
State Prison .....	612	Public Utilities Com. ....	621
State Prison and Jails, inspection of ..	603	Reformatory for Women .....	627
Steam Vessels, inspection .....	603	Sanatoriums, State .....	627
Superior Court .....	610	Sea and Shore Fisheries .....	621
Supreme Judicial Court .....	610	Secretary of State, .....	621
		State Prison .....	626
		State School for Boys .....	627
		State School for Girls .....	627
		Superior Courts .....	624
		Supreme Judicial Courts .....	624
		Treasurer of State .....	625
		Trustees .....	625
		University of Maine .....	627

	Page		Page
<b>APPROPRIATION BILL</b>		<b>BATH</b>	
(Supplementary 1918)		Aged Couples and Old Men, Home for, enlarging authority of . . .	599
Adjutant General's Dept. . . . .	707	Old Folks Home, to incorporate . . .	452
Agricultural Dept. . . . .	707	<b>BATH TRUST CO.</b>	
Auditor . . . . .	709	Incorporation, amending act of . . .	643
Bank Commissioner . . . . .	707	<b>BIDDEFORD</b>	
Charitable and Benevolent Institutions . . . . .	708	Caucus, amending act relating to . .	523
Endoational Department . . . . .	708	Municipal Court, recorder of, increasing salary . .	583
Executive Department . . . . .	708	<b>BIDDEFORD AND SAGO WATER CO.</b>	
Health, State Board of . . . . .	709	Capital Stock, increasing and authorizing holding of securities in other corporations . . . . .	593
Inspector of Steam Vessels . . . . .	708	<b>BIRCH POINT VILLAGE CORP.</b>	
Insurance Department . . . . .	708	Incorporation of, . . . . .	531
Land Agent and Forest Com. . . . .	708	<b>BLUEHILL WATER CO.</b>	
Library . . . . .	709	Charter, extending . . . . .	497
Medicine, Board of Registration of . .	708	<b>BOG BROOK</b>	
Sanatorium, Arcostock Co. . . . .	709	Dams, Blaine S. Viles and Guy P. Gannett, authorizing to erect on . . . . .	706
Sea and Shore Fisheries . . . . .	709	<b>BOOTHBAY HARBOR</b>	
Superior Court . . . . .	709	Bridges over Harbor, authorizing town to construct . . . . .	468
Supreme Judicial Court . . . . .	709	<b>BOOTHBAY HARBOR WATER DIST.</b>	
Treasurer of State . . . . .	709	Incorporation of . . . . .	639
<b>ARCOSTOCK COUNTY</b>		<b>BOSTON AND MAINE RAILROAD</b>	
Agriculture, scientific investigation, bearing upon . . . . .	703	Reorganization, of companies constituting system, extending time . . . . .	633
Court Houses, at Houlton and Caribou, for repair and enlargement of . . . .	681	<b>BRADLEY AND ORONO</b>	
Registry of Probate card index, relating to preparation of . . .	598	Ferry, across Penobscot river, repealing act relating to . . . .	544
<b>ARCOSTOCK RIVER</b>		<b>BRASSUA STREAM DAM &amp; IMP. CO.</b>	
Back Channel Bridge, authorizing erection of . . . . .	539	Incorporation of . . . . .	586
<b>ATLANTIC SHORE RAILWAY</b>		<b>BREWER</b>	
Reorganization of, authorizing . . .	585	Police Force, appointment of members of . . . . .	543
<b>AUBURN, CITY OF</b>		<b>BREWER WATER CO.</b>	
Charter, granting new, (provisional)	688	Charter, extending . . . . .	524
Water, amending act, authorizing supply of city with . . . . .	522	<b>BRIDGTON</b>	
<b>AUBURN SEWER DIST.</b>		Forest Hill Cemetery Assn., property of, authorizing conveyance to . . . .	464
Creation of, and transfer to it of Auburn Sewer System. . .	673	<b>BROOKSVILLE</b>	
<b>AUGUSTA, CITY OF</b>		Private way over tide water, authorizing selectmen to grant . . . . .	659
Capital Park, authorizing raising of money for maintaining grounds, etc. . .	564	<b>BROWNVILLE</b>	
Charter, amending relative to police (provisional) . . . . .	570	Pleasant River Bridge, partial reimbursement of by Piscataquis County . . .	660
Property, authorizing acquisition of .	540	<b>BROWNFIELD</b>	
School Meeting, held on second Monday, May 1916, ratifying acts of . . .	456	Fine Grove Cemetery Assn., incorporation . . . . .	492
School Meetings, relating to . . . .	502		
Unitarian Church, change of name authorized . . . . .	560		
<b>AUGUSTA STATE HOSPITAL</b>			
New Building, authorizing construction of . . . . .	566		
<b>B</b>			
<b>BAILEYVILLE</b>			
Town Meeting of April 17th, 1916, acts of ratified . . .	468		
<b>BANGOR BOOM CO.</b>			
Charter of, extending and amending	504		
<b>BANGOR RAILWAY &amp; ELECTRIC CO.</b>			
Chemo Lake, authorizing to take water from, amending former act . . . . .	511		
Powers of, made clear and confirmed	540		

	Page
<b>BUCKSPORT</b>	
Water Supply, authorizing town to secure .....	513
<b>C</b>	
<b>CALAIS WATER AND POWER CO.</b>	
Incorporation of, .....	678
<b>CAPE PORPOISE RAILWAY CO.</b>	
Reorganization of, authorizing .....	585
<b>CAPITAL PARK</b>	
Organization and additional powers .	543
<b>CARIBOU</b>	
Court House, repair and enlargement of .....	681
Water Works, authorizing system of and acquirement of Caribou Light and Power Co. ....	588
<b>CASCO BAY</b>	
Islands, authorizing annexation to town of Phippsburg .....	501
<b>CASCO BAY WATER CO.</b>	
Charter, extending .....	551
<b>CASCO MERCANTILE TRUST CO.</b>	
Change of Name, from Mercantile Trust Co., authorizing .....	486
<b>CASCO TITLE GUARANTY CO.</b>	
Incorporation of .....	546
<b>CHAPMAN</b>	
Town Meeting, of Dec. 27th, 1915, and certain acts of officers of, ratified .....	566
<b>CLAMS</b>	
Damariscotta, relating to the digging for within the limits of .....	472
Newcastle, digging for within the limits of .....	472
<b>CLARK POWER CO.</b>	
Extension of Lines, etc., amending former act .....	705
<b>CLIFTON</b>	
Annual Meeting of March 19th, 1917, ratifying acts of ..	539
<b>CONURN CLASSICAL INST.</b>	
Charter, amending .....	542
<b>COLBY COLLEGE</b>	
Alumni Trustees, amending act relating to .....	522
<b>CROWELL POND</b>	
Name of, changed to Lake Waukesha .....	469
<b>CUMBERLAND HAR ASSN.</b>	
Incorporation of .....	472
<b>CUMBERLAND COUNTY</b>	
Probation Officer, amending act relating to duties of .....	538
Register of Deeds, plans in Registry, authorizing procurement of durable copies..	559
<b>CUMBERLAND COUNTY FARM</b>	
Prisoners, escaping from, disposition of when recaptured ....	506

	Page
<b>D</b>	
<b>DAMARISCOTTA</b>	
Clams, digging for, within the limits of town of .....	472
<b>DEAD RIVER LOG DRIVING CO.</b>	
Dissolution of and sale of property..	489
<b>DEAD RIVER NO. BRANCH LOG DRIV. CO.</b>	
Dissolution of and sale of property—	489
<b>DENNY'S RIVER</b>	
Migratory Fish, repealing acts relating to taking of in .....	659
<b>DEXTER MUNICIPAL COURT</b>	
Judge, salary of increased .....	638
Jurisdiction, enlarging .....	484
<b>DIRIGO WATER CO.</b>	
Incorporation of .....	527
<b>E</b>	
<b>EASTERN MAINE RAILROAD</b>	
Charter extended .....	502
<b>EDEN</b>	
jitney Busses, providing for licensing of drivers of ...	530
Milk Bottles, initials of dealers to be blown into .....	540
<b>EGGEMOGGIN REACH</b>	
Ferry, Charles H. Scott, authorized to maintain .....	467
<b>EXPENDITURES OF GOVERNMENT</b>	
(See Appropriation Bill)	
<b>EPISCOPAL CHURCH (Protestant)</b>	
Support of Episcopate, trustees of fund, amending act relating to ...	598
<b>F</b>	
<b>FAIRFIELD CENTER CEMETERY ASSN.</b>	
Acts of, confirmed .....	498
<b>FAIRFIELD AND SKOWHEGAN RY. CO.</b>	
Charter, amended and extended ....	458
<b>FARMINGTON-OAKLAND INTERURBAN RAILWAY,</b>	
Charter, extended .....	516
<b>FARMINGTON VILLAGE CORP.</b>	
Annual Meeting, date of changed ..	510
<b>FOREST HILL CEMETERY ASSN.</b>	
Bridgton, authorizing conveyance of property of to town of ..	454
<b>FORT FAIRFIELD</b>	
Fire Protection, authorizing taking over of rights and powers of Fort Fairfield Village Corp. ....	484
<b>FORT KENT ELECTRIC CO.</b>	
Wallagrass Stream, authorizing maintenance of dam across ....	713
<b>FRANKLIN FARMERS COOPERATIVE TEL. CO.</b>	
Capital Stock, increasing .....	510

	Page		Page
<b>FRYEBURG WATER CO.</b>		<b>KITTERY</b>	
Additional Powers and confirming certain acts of	453	Spruce Creek, dam across East Branch authorized ..	469
<b>G</b>		<b>KITTERY WATER DISTRICT</b>	
<b>GANNETT, GUY P.</b>		Annual Meeting, date of changed ...	490
Bog Brook, authorized to erect dams on .....	706	<b>KNOX GAS &amp; ELECTRIC CO.</b>	
<b>GARDINER, CITY OF</b>		Rockland, Thomaston & Camden St. Ry., consolidation of .....	490
Charter, amending .....	549	<b>L</b>	
<b>GARDINER WATER DISTRICT</b>		<b>LEWISTON, CITY OF</b>	
Territory, increasing .....	493	Bonds, issuance of authorized to meet maturing .....	544
<b>GOULD ELECTRIC CO.</b>		Police Commission, creating .....	479
Incorporation of, .....	703	<b>LINCOLN COUNTY ST. RY.</b>	
<b>GREAT NORTHERN PAPER CO.</b>		Charter extending .....	469
Capital Stock, amending act increasing .....	476	<b>LINCOLN MUNICIPAL COURT</b>	
<b>GUILFORD MFG. CO.</b>		Recorder of, authority increased ...	474
Piscataquis River, piers and booms, authorizing erection of .....	519	<b>LINCOLN SEWERAGE CO.</b>	
<b>H</b>		Charter, extended .....	499
<b>HALLOWELL, CITY OF</b>		<b>LISBON</b>	
Charter, amending .....	551	Gas & Electricity amending act to authorize supply of town of .....	492
<b>HAMMOND, ALLEN E.</b>		<b>LITCHFIELD</b>	
St. John River, authorized to erect booms and piers ...	506	Cong'l. Church Society, incorporation and acts ratified	458
<b>HANCOCK COUNTY</b>		<b>LITTLE MACHIAS BAY</b>	
Registry of Deeds, authorizing compilation of records in .....	501	Weirs, construction of authorized ..	532
<b>HARMONY WATER CO.</b>		<b>LIVERMORE &amp; AUGUSTA RY. CO.</b>	
Charter, extending .....	526	Charter, extending .....	552
<b>HOULTON</b>		<b>LOBSTERS</b>	
Court House, repair and enlargement of .....	681	Hancock County, amending act relating to closed time in certain waters of .....	644
<b>I</b>		Machias Bay, etc., amending act relating to closed time on .....	516
<b>INDEPENDENCE DEVELOPING CO.</b>		<b>LUBEC, E. MACHIAS &amp; MACHIAS RY. CO.</b>	
Incorporation of .....	660	Charter extended .....	585
<b>INDIAN CREEK</b>		<b>M</b>	
Vinalhaven, bridge across in town of	488	<b>MACHIAS</b>	
<b>INDIAN ISLAND</b>		Bridge, leading to Shaw shipyard, authorizing close of .....	566
Ferry, to city of Old Town, amending former act .....	475	<b>MACHIAS BAY</b>	
<b>INVESTMENT INSURANCE &amp; GUARANTY CO.</b>		Lobsters, amending act relating to closed time in .....	516
Incorporation of .....	636	<b>MADISON VILLAGE CORP.</b>	
<b>J</b>		Weston, Theodore B. and Addie S. B., real estate of, set off .....	494
<b>JACKSON</b>		<b>MADISON WATER DIST.</b>	
Annual Town Meeting of March 5th, 1917, acts ratified .....	638	Annual Meetings, date of holding ..	541
<b>JITNEY BUSES</b>		<b>MAINE FIRE INS. CO.</b>	
Eden, licensing of drivers in the town of .....	530	Incorporation of .....	582
<b>K</b>		<b>MAINE TITLE GUARANTEE COMPANY</b>	
<b>KENNEBEC LOG DRIVING CO.</b>		Charter extended .....	458
Charter, further amended .....	459-461	<b>MARSH ISLAND</b>	
		Name changed to Vaill Island .....	498
		<b>MATTEKEUNK STREAM DAM &amp; IMP. CO.</b>	
		Incorporation of .....	544

	Page
<b>MCGURDY POND</b>	
Name of, changed to Hilton Lake ..	471
<b>MCGURDY POND</b>	
Name of, changed to Lake Waukesha	469
<b>MCINTOSH, DORA B.</b>	
Pension, authorizing City of Portland to provide for .....	456
<b>MERCANTILE TRUST CO.</b>	
Change of Name, and increase of capital, authorized	486
<b>MEXICO</b>	
Toll Bridge, relating to freeing of..	558
<b>MILO ELECTRIC LIGHT &amp; POWER CO.</b>	
Charter, amended .....	477
<b>MOUNT DESERT</b>	
Elections, relating to in the town of	664
<b>MOUNT DESERT BRIDGE DISTRICT</b>	
Trenton, toll bridge in town of freed	560
<b>MUSQUACOOK STR. DAM &amp; IMP. CO.</b>	
Incorporation of .....	562
<b>N</b>	
<b>NATIONAL CAMPS AND HOTEL CO.</b>	
Wharf, construction of in Sebago Lake, authorized .....	494
<b>NEWCASTLE</b>	
Clams, digging for within the limits of .....	472
<b>NORTH BRIDGTON VILLAGE CORP.</b>	
Charter extended .....	484
<b>NORTH HAVEN</b>	
Water, amending act to supply town with .....	525
<b>NORTH OR VARNUM'S POND</b>	
Bathing in, prohibited, amending former act .....	683
<b>O</b>	
<b>ODD FELLOWS' HOME OF MAINE</b>	
Incorporation of .....	536
<b>OGUNQUIT RIVER</b>	
Walls, construction of bridge across in town of, authorized .....	471
<b>OLD TOWN INDIAN ISLAND, NO. 1</b>	
Common, to provide for on .....	518
Ferry, from City of Old Town to ..	475
Flowage, damages, providing legal remedy for .....	508
Street Lights, providing for on ....	518
<b>OLD TOWN MUNICIPAL COURT</b>	
Recorder, salary increased .....	639
<b>ORONO &amp; BRADLEY</b>	
Ferry, across Penobscot River, repealing act relating to .....	544
<b>OXFORD COUNTY</b>	
County Law Library, providing for establishment of at Rumford	516
Registry of Deeds, (Western), repair or reconstruction of ....	512

	Page
<b>P</b>	
<b>PATTEN'S BAY</b>	
Alewives, amending act protecting..	478
<b>PENOBSCOT BAY WATER CO.</b>	
Charter, revived and extended ....	498
<b>PENOBSCOT COUNTY</b>	
Lumber, survey of, amending act regulating .....	523
<b>PENOBSCOT EAST BRANCH LOG DRIVING CO.</b>	
Charter, amended .....	470
<b>PENOBSCOT INDIAN RESERVATION</b>	
Dogs, licensing of .....	508
<b>PENOBSCOT LAW LIBRARY ASSN.</b>	
Organization of, confirmed .....	491
<b>PENOBSCOT VALLEY GAS CO.</b>	
Charter, extending .....	505
<b>PERKINS, TOWN OF</b>	
Charter, repealed .....	531
<b>PHILLIPS VILLAGE CORP.</b>	
Charter, amending .....	580
Chapter 101, P. & S. L., 1911, repealed	562
<b>PHIPPSBURG</b>	
Casco Bay Islands annexation of to town of .....	501
<b>PILGRIMS HOME CEMETERY ASSN.</b>	
Incorporation of .....	634
<b>PINE GROVE CEMETERY ASSN.</b>	
Brownfield, in town of, incorporation confirmed .....	492
<b>PLANTATION NO. 14</b>	
Washington County, ways and bridges relating to .....	483
<b>PORTLAND, CITY OF</b>	
Businesses, licensing certain, amending act relative to ....	596
Docks, filth, relating to removal of..	536
Electrical Appliances, department of, amending act relative to .....	597
Fire Dept., repealing an act to establish .....	642
Fourth Cong'l Church (Abyssinian), organization made valid and conveyance of real estate authorized .....	454
Public Buildings, construction of on public grounds, repealing certain acts .....	499
Volunteer Police, creating reserve force .....	650
Wooden Buildings, amending act relating to erection of .....	595
<b>PORTLAND HARBOR</b>	
Commissioners, board of created and powers defined	667
<b>PORTLAND WATER DISTRICT</b>	
Incorporation, amending act relating to .....	641

	Page		Page
<b>PRESQUE ISLE</b>		<b>SHIRLEY DAM CO.</b>	
Fire Protection, authorizing taking over of duties of Presque Isle Village Fire Dept. ....	500	Charter, amending .....	504
<b>PRESQUE ISLE MUNICIPAL COURT</b>		<b>SKOWHEGAN WATER DISTRICT</b>	
Establishment of .....	576	Amendatory and additional .....	590
<b>PRINCETON</b>		<b>SMEELTS</b>	
Electricity and Water, enabling town to supply .....	572	Egypt Bay, Franklin Bay, Taunton Bay and River, relating to taking in .....	457
<b>PROTESTANT EPISCOPAL CHURCH</b>		Saco River, act relating to taking in amended .....	493
Support of Episcopate, trustees of fund, amending act relating to ...	598	<b>SMYRNA &amp; OAKFIELD WATER CO.</b>	
		Incorporation of .....	567
<b>Q</b>		<b>SONGO RIVER LINE INC.</b>	
<b>QUEBEC EXTENSION CO.</b>		Wharves, authorizing construction of at E. Sebago and Long Beach .....	456
Charter, amended .....	462	<b>SOUTHPORT</b>	
<b>R</b>		Water Supply, permitting town of to obtain .....	507
<b>RICHMOND</b>		<b>SPRUCE CREEK</b>	
Water Works, authorizing construction and maintenance of by town of .....	495	Kittery, dam across East Branch authorized, .....	469
<b>RICHMOND WATER WORKS</b>		<b>ST. CROIX WATER CO.</b>	
Transfer of property of to town of Richmond .....	495	Incorporation of .....	683
<b>ROCKLAND, SO. THOMASTON &amp; ST. GEORGE RY.</b>		<b>ST. JOHN RIVER</b>	
Charter, extended .....	492	Booms and Piers, Allen E. Hammond et als, authorized to erect .....	506
<b>ROCKLAND, THOMASTON &amp; CAMDEN ST. RY.</b>		<b>STATE TAX</b>	
Charter, amended .....	477	Assessment of for 1917 .....	687
Knox Gas & Elect. Co., consolidation of with .....	490	Assessment of for 1918 .....	685
<b>RUMFORD</b>		<b>SUMMER HARBOR WATER CO.</b>	
County Law Library, providing for establishment of .....	516	Incorporation of .....	593
<b>RUMFORD FALLS &amp; ETHEL ST. RY.</b>		<b>U</b>	
Charter, extended .....	485	<b>UNITED BAPTIST CONVENTION</b>	
<b>RUMFORD FALLS MUNICIPAL COURT</b>		Baptist and Free Baptist Churches, trustee of Trust Funds of, authorizing appointment .....	541
Amendatory to act of establishment .....	559	<b>UNITED ELECTRIC SECURITIES CO.</b>	
<b>S</b>		Charter, amended .....	451
<b>SACO, CITY OF</b>		<b>V</b>	
Hospital, amending act authorizing equipment and maintenance of .....(provisional) ...	520	<b>VAN BUREN LIGHT &amp; POWER DIST.</b>	
<b>SACO RIVER</b>		Incorporation of .....	645
Smelts, act relating to taking in, amended .....	493	<b>VAN BUREN SEWERAGE DIST.</b>	
<b>SALISBURY COVE WATER CO.</b>		Incorporation of .....	463
Charter, extended .....	466	<b>VARNUM'S OR NORTH POND</b>	
<b>SANDY RIVER AND RANGELEY LAKES R. R.</b>		Bathing in, prohibited, amending former act .....	683
Extension of Lines and discontinuance of part of present road ...	507	<b>VILES, ELAINE S.</b>	
<b>SCOTT, CHARLES E.</b>		Bog Brook, authorized to erect dams on .....	706
Eggemoggin Beach, ferry, right to maintain .....	467	<b>VINALHAVEN</b>	
		Indian Creek, bridge across, authorizing construction of ..	488
		<b>W</b>	
		<b>WALDO STREET RAILWAY CO.</b>	
		Charter, extended .....	499
		<b>WARD &amp; BRADBURY</b>	
		St. John River, piers, booms, etc., authorizing erection in .....	512



	Page		Page
<b>WASHINGTON COUNTY</b>		<b>WINDHAM, TOWN OF</b>	
Plantation No. 14, repealing act of 1911, relating to ways and bridges in .....	483	Town Meeting of March 5th and 7th, 1917, validated .....	642
<b>WATERVILLE, CITY OF</b>		<b>WINDHAM MINISTERIAL FUND</b>	
Charter, further amended .....	462	Trustees of, relating to .....	640
<b>WATERVILLE MUNICIPAL COURT</b>		<b>WINTEROP</b>	
Recorder, salary of decreased, amending former acts ...	685	Charles H. Bailey Library, acts of in re- gard to ratified	531
Warrants, may be issued by other judges or trial justices re- turnable at .....	685	<b>WORLD STANDARD INS. CO.</b>	
<b>WELD, TOWN OF</b>		Charter of, extending .....	524
Cong'l Parish, incorporation confirm- ed and conveyance of real estate authorized	587	<b>WORUMBO MFG. CO.</b>	
<b>WELLS, TOWN OF</b>		Bridge, between mill and storehouse, authorizing maintenance of	558
Ogunquit River, bridge across, au- thorizing construc- tion of .....	471		
<b>WESTBROOK MUNICIPAL COURT</b>			
Jurisdiction of, increasing, amend- ing former acts ...	657		
Recorder, salary increased .....	640		
<b>WEST BRANCH DRIVING AND RESER- VOIR CO.</b>			
Additional Powers, granted to .....	519		

**Y**

<b>YARMOUTH</b>	
Gas & Electricity, authorizing town of to supply ....	591
<b>YORK BEACH VILLAGE CORPORATION</b>	
Charter, amended .....	552
<b>YORK SHORE WATER CO.</b>	
Marshall House, authorizing acquire- ment of stock in ...	467

## Special Session of 1916

<b>APPROPRIATION BILL</b>		<b>PORTLAND, CITY OF</b>	
Legislative Expenses, providing for	815	Harbor, authorizing changes and al- terations in .....	815

# Index to Resolves.

A	Page	B	Page
<b>ACADEMIES, SEMINARIES, ETC.</b>		<b>BANGOR, CITY OF</b>	
Maintenance and Repairs, aid of ... 786	786	National Guard, reimbursement for support of families of ..... 773	773
<b>ADAMS FOND</b>		<b>BANGOR ARMORY (STATE)</b>	
Screening outlet of, in favor of .... 804	804	Erection and Equipment of, in fa- vor of 792	792
<b>ADDISON, TOWN OF</b>		<b>BANGOR STATE HOSPITAL</b>	
Road, leading from Columbia Falls to Hall's Hill, repair of ..... 777	777	Maintenance and other purposes .. 759	759
<b>AGRICULTURAL DEPARTMENT</b>		<b>BAR HARBOR MEDICAL AND SURS- CAL HOSPITAL</b>	
Bureau of Inspection, support of .. 785	785	Indigent Persons, treatment of in .. 754	754
<b>AGRICULTURAL WORK</b>		<b>BARNES CHARLES F.</b>	
Cooperation between U. of M. and U. S. Dept. .... 768	768	Senate, organization of 78th, serv- ices as page ..... 729	729
<b>ALBANY, TOWN OF</b>		<b>BATH CITY HOSPITAL</b>	
National Guard, reimbursement for support of families of ..... 773	773	Indigent Persons, treatment of in.. 754	754
<b>ALEXANDER, TOWN OF</b>		<b>BATH MILITARY &amp; NAVAL ORPHAN ASYLUM</b>	
Taylor Hill Road, repair of ..... 775	775	Maintenance and other purposes .. 736	736
<b>AMEEJEVIS LAKE</b>		<b>BAY OF NAPLES</b>	
Navigation on, in aid of ..... 767	767	Navigation on, in aid of ..... 767	767
<b>AMEEJEVIS THOROUGHFARE</b>		<b>BELFAST, CITY OF</b>	
Navigation on, in aid of ..... 767	767	Home for Aged Women, in aid of .. 770	770
<b>ANIMAL INDUSTRY</b>		<b>BENEVOLENT AND CHARITABLE IN- STITUTIONS</b>	
Improvement and Protection of, in fa- vor of 732	732	Indigent Persons, support and edu- cation of by .... 756	756
<b>ANSON, TOWN OF</b>		<b>BERWICK, TOWN OF</b>	
Patterson Toll Bridge, repair of ... 782	782	Main Road, from Wells to N. H. line, repair of ..... 779	779
<b>ANSON ACADEMY</b>		<b>BIG LAKES</b>	
Maintenance, in favor of ..... 768	768	Navigation on, in aid of ..... 767	767
<b>ARROOSTOOK COUNTY</b>		<b>BINGHAM, TOWN OF</b>	
Township 17, R 5, investigating and clearing title of settlers in .... 771	771	Road, across Chase's Intervale, re- construction of ..... 776	776
Tuberculosis Sanatorium, construc- tion of .. 788	788	<b>BOOTHBAY, TOWN OF</b>	
<b>ATKINSON, TOWN OF</b>		Road from Wiscasset bridge to town line, repair of ..... 775	775
Road, leading from Atkinson Mills to Charleston line, repair of .. 781	781	<b>BOUNDARY LINE</b>	
<b>AUBURN, CITY OF</b>		Maine & New Hampshire, providing for coopera- tive survey of ..... 774	774
State Paupers, reimbursement for expenses of ..... 740	740	<b>BOYDEN'S LAKE</b>	
<b>AUGUSTA, CITY OF</b>		Screening outlet of ..... 804	804
National Guard, reimbursement for support of families of ..... 773	773	<b>BOYS, STATE SCHOOL FOR</b>	
<b>AUGUSTA GENERAL HOSPITAL</b>		Maintenance and other purposes ... 756	756
Indigent Persons, treatment of in.. 754	754	<b>BREWER, CITY OF</b>	
<b>AUGUSTA STATE HOSPITAL</b>		National Guard, reimbursement for support of families of ..... 773	773
Maintenance and other purposes ... 748	748	<b>BRIDGES</b>	
<b>AUTOMOBILE REGISTRATION</b>		Repair and Construction of, in favor of 781	781
Lists, providing for publication of 796	796		
<b>AVON, TOWN OF</b>			
National Guard, reimbursement for support of families of ..... 773	773		

	Page
<b>BRIDGES AND ROADS</b>	
Construction and Repair of, in fa- vor of	775
<b>BROOKS, TOWN OF</b>	
Monlton Hill Road, repair of	778
<b>BROWNVILLE, TOWN OF</b>	
Pleasant River Bridge, reimburse- ment	785
<b>BUCK, GEO. A.</b>	
State Highway L, labor	785
<b>BUCK, SILAS</b>	
State Highway L, labor	785
<b>BUCKSPORT, TOWN OF</b>	
Road, leading from Bucksport Vil- lage to Orrington line, repair of	778

C

<b>CAHILL, ANDREW</b>	
Assistant Messenger to Speaker, in fa- v or of ..	789
<b>CALAIS CITY OF</b>	
Ferry Point Bridge repair of	782
<b>CALAIS HOSPITAL</b>	
Maintenance in aid of	769
<b>CAMDEN, TOWN OF</b>	
Turnpike Road, repair of	776
<b>CARMEL, TOWN OF</b>	
Winterport Road, repair of	781
<b>CARTHAGE, TOWN OF</b>	
Road from Dixfield to Wilton, repair of	779
<b>CASTINE, TOWN OF</b>	
Morse's Cove Bridge, to rebuild	782
<b>CATHANCH LAKE</b>	
Screening outlet of, in favor of	804
<b>CENTRAL MAINE ASSN.</b>	
Tuberculosis, for relief and control of	720
<b>CENTRAL MAINE GENERAL HOSPITAL</b>	
Indigent Persons, treatment of in ..	754
<b>CENTRAL MAINE SANATORIUM</b>	
Chase Building, remodeling and equipment, in aid of	722
Food Supplies, .....	721
General Expenses .....	721
Pavilions, construction of .....	722
Personal Services .....	721
Repairs and Equipment, .....	721
Sewerage System and Water Main..	722
<b>CHAPLAINS OF THE HOUSE</b>	
Services of	789
<b>CHARITABLE AND BENEVOLENT IN- STITUTIONS</b>	
Maintenance, in favor of	753
<b>CHARITIES AND CORRECTIONS</b>	
Board of, expenses	761
<b>CHARLESTON, TOWN OF</b>	
West County Road, repair of	778
<b>CHARLOTTE, TOWN OF</b>	
Mount Tom Road, repair of	776

<b>CHESTER, TOWN OF</b>	
Le Briton, Frank, burial expenses of	740
<b>CHESTERVILLE, TOWN OF</b>	
Road from Farmington Falls to Vi- enna repair of	779
<b>CHILDREN'S AID SOCIETY (BELFAST)</b>	
Maintenance, in favor	753
<b>CHILDREN'S HEART WORK SOCIETY</b>	
Dependent Children, care and educa- tion of by	753
<b>CHILDREN'S HOSPITAL (PORTLAND)</b>	
Dependent Children, treatment of by	754
<b>CHILDREN'S PROTECTIVE SOCIETY (PORTLAND)</b>	
Dependent Children, care and educa- tion of by	753

<b>CHUTES RIVER</b>	
Navigation on, in aid of	767
<b>CIVIL WAR</b>	
Historical Records of veterans of providing for completion of ..	743
<b>CLAMS</b>	
Propagation of, providing for	743
<b>CLAY, CECIL</b>	
Reporter of House, for services of assistant	789
<b>COCKENWAGON LAKE</b>	
Maintenance of screen already in- stalled	804
<b>COOLEY, BENJ</b>	
Aid of, in favor of	793
<b>COOPERATIVE AGRICULTURE</b>	
University of Maine and U. S. De- partment, pro- viding for	768
<b>CORINTH TOWN OF</b>	
Main Road, repair of	778
<b>COUNTY TAXES</b>	
Laying of, for 1917	745
for 1918	762
<b>CROCH ANTONIO</b>	
State Highway L, groceries, etc.	785
<b>CROCKER TOWNSHIP</b>	
Road leading from Kingfield to Bige- low repair of	779
<b>CUPSUTTIC LAKE</b>	
Navigation on in aid of	767

D

<b>DALLAS PLANTATION</b>	
Road, leading from Rangeley to Stratton	779
<b>DAUGHTERS OF WISDOM (ST. AGATHA)</b>	
Indigent Persons, treatment of by..	754
<b>DEAF, SCHOOL FOR</b>	
Maintenance and repairs	734
<b>DECKER POND</b>	
Screening outlet, in favor of	803

	Page		Page
<b>DENNYVILLE, TOWN OF</b>		<b>F</b>	
Wilson Stream Bridge, reimburse- ment .....	785	<b>FALES, GEORGE A.</b>	
<b>DENTAL EXAMINERS</b>		Stenographer, Secretary of the Sen- ate .....	795
Operating Tables, steel cabinet and general expenses	738	<b>FARMINGTON, TOWN OF</b>	
<b>DEXTER, TOWN OF</b>		National Guard, reimbursement for support of families of .....	773
National Guard, reimbursement for support of families of .....	773	<b>FEEBLE MINDED, SCHOOL FOR</b>	
<b>DIXFIELD, TOWN OF</b>		Central heating and power plant, providing for ....	724
Road over Towle Hill, repair .....	779	Clothing, providing for .....	724
<b>DOMESTIC ANIMALS</b>		Construction and improvement, pro- vid- ing for .....	724
Contagious Diseases, control of ....	770	Food Supplies, providing for .....	724
<b>DOW A. L. &amp; CO.</b>		General Expenses, providing for ....	724
State School for Boys, extra labor in installing plumbing at	732	Personal Services, providing for ...	723
<b>DOW, GEORGE A.</b>		Repairs and Equipment, providing for .....	724
Fish Warden, for services as .....	731	<b>FERRIS</b>	
<b>E</b>		Maintenance, to aid .....	783
<b>EAST LIVERMORE, TOWN OF</b>		<b>FISK HATCHERIES</b>	
National Guard, reimbursement for support of families of .....	773	Operation of, providing for .....	747
<b>EASTERN MAINE GEN. HOSPITAL</b>		<b>FISK RIVER LAKES</b>	
Indigent Persons treatment of by ..	754	Navigation, improvement of .....	791
<b>EASTERN MAINE INSTITUTE</b>		<b>FOREST NURSERY</b>	
Construction, equipment and reim- bursement .....	786-787	Reforestation, providing for encour- agement of .....	743
<b>EASTERN MAINE ORPHANS' HOME</b>		<b>FORESTRY</b>	
(BANGOR)		Public Instruction in, providing for	740
Dependent Children, care and educa- tion of by .....	753	<b>FORT KENT-ST. FRANCIS BRIDGE</b>	
<b>EASTPORT, CITY OF</b>		Unexpended Balance, continuance of	795
National Guard, reimbursement for support of families of .....	773	<b>FORT WILLIAM HENRY</b>	
<b>EDGECOMB, TOWN OF</b>		State Property at, preservation and improvement ...	794
Road from end of Wiscasset Bridge to Boothbay Harbor line repair of .....	775	<b>FRANKFORT, TOWN OF</b>	
<b>EDMUNDSTON-MADAWASKA BRIDGE</b>		Lord Bridge, across Marsh Stream, reimbursement .....	785
Unexpended Balance, providing for continuance of	772	<b>FRANKLIN, TOWN OF</b>	
<b>ELECTORAL COLLEGE</b>		Road, from Egypt postoffice to Franklin Road Station, repair of .....	781
Expenses of, in favor of .....	738	<b>FREEDOM ACADEMY</b>	
<b>EMERGENCY FUND</b>		Repairs, deficiency and mainten- ance .....	786-787
Contagious Diseases, providing for in case of invasion of ...	774	<b>G</b>	
<b>EPIDEMIC FUND</b>		<b>GARDINER, CITY OF</b>	
Contagious Diseases, providing for in case of spread of ....	774	Bridge across Kennebec river. to re- pair .....	782
<b>ERSKINE ACADEMY</b>		<b>GARLAND POND</b>	
Repairs and Equipment, in favor of ....	786-787	Screening outlet, in favor of .....	803
<b>ETNA, TOWN OF</b>		<b>GATES, DONALD</b>	
State Aid Road, Sec. 2, repair of ...	780	Assistant Messenger to Speaker, in favor of	789
<b>EXETER, TOWN OF</b>		<b>GIRL'S ORPHANAGE (LEWISTON)</b>	
Road, leading from town line of Stetson to Exeter Corner, re- pair of .....	781	Dependent Children, care and educa- tion by .....	753
		<b>GIRLS, STATE SCHOOL FOR</b>	
		Maintenance and other purposes ....	758
		<b>GLENBURN, TOWN OF</b>	
		New Kenduskeag Road, repair of	778

	Page
<b>GOOD SAMARITAN ASSEN. (BANGOR)</b> Dependent Children, care and education of by ....	753
<b>GOULD'S ACADEMY</b> Teachers' training course, assistance in maintaining ..	787-788
<b>GRAFFAM, HERBERT E.</b> Injuries, received in construction of State Highway, to compensate .....	762
<b>GRAY, TOWN OF</b> Road, from Station to Pownal Station, repair of .....	776
<b>GREAT POND OR LONG POND</b> Screening outlet, in favor of .....	803
<b>GREENLIEP, H. L.</b> Assistant Messenger, Senate, for services ...	795
<b>GUDESPUTI, ANTONIO</b> State Highway L., labor .....	785
<b>GUILFORD, TOWN OF</b> National Guard, reimbursement for support of families of .....	774
<b>K</b>	
<b>KANCOCK, TOWN OF</b> Road, from Egypt postoffice to Franklin Road Station, repair of .....	781
<b>HARMONY, TOWN OF</b> Bridge, across Higgins' Brook, reimbursing .....	785
<b>HARTLAND ACADEMY</b> Repairs and Equipment, providing for ...	786-787
<b>HEALY ASYLUM (LEWISTON)</b> Dependent Children, care and education by .....	753
<b>HEATH, IDA E.</b> Damages, for death of husband ....	741
<b>HEBRON, TOWN OF</b> Roads, repair of .....	780
<b>HIBBERTS GORE</b> Roads, repair of in .....	781
<b>HIGGINS CLASSICAL INSTITUTE</b> Building Purposes, providing for .....	787-788
<b>HIGHWAY BONDS (STATE)</b> Reissue of, providing for .....	763
<b>HIGHWAYS</b> Repair and Construction of, providing for .....	775
<b>HILLMAN, MARY S.</b> Aid of, providing for .....	793
<b>HOLY INNOCENTS' HOME FOR INFANTS (PORTLAND)</b> Aid of, providing for .....	754
<b>HOME FOR AGED WOMEN</b> Belfast, in aid of .....	770

	Page
<b>HORTICULTURE, BUREAU OF</b> Support of, .....	768
<b>HOULTON, TOWN OF</b> National Guard, reimbursement for support of families of .....	773
<b>HOUSE OF REPRESENTATIVES</b> Organization, in favor of officers of 77th Legislature .....	719
<b>HOUSE PAYROLL</b> Attendance and Travel, providing for .....	797
<b>I</b>	
<b>INDIAN TOWNSHIP</b> Roads and Bridges, repair of .....	775
<b>INLAND FISH AND GAME DEPT.</b> Administration and Incidental Expenses .....	747
<b>J</b>	
<b>JERUSALEM TOWNSHIP</b> Road, leading from Kingfield to Bigelow, repair of .....	779
<b>JONESBORO TOWN OF</b> Road, leading from M. C. R. R. station to Village, repair of ....	779
<b>JUVENILE INSTITUTIONS</b> Trustees of, for per diem and expenses .....	748
<b>K</b>	
<b>KENNEBEC JOURNAL</b> Overtime, legislative work, reimbursing for .....	717
<b>KEAR POND</b> Screening outlet of, providing for .....	803
<b>KITTERY-PORTSMOUTH BRIDGE</b> Survey of, Highway Commission directed to make .....	771
<b>KNOX COUNTY GENERAL HOSPITAL</b> Indigent Persons, treatment of in ..	754
<b>L</b>	
<b>LAKE MOXIE</b> Screening outlet of, providing for ..	803
<b>LAKES</b> Navigation on, in aid of .....	766
<b>LAMBERT LAKE</b> Screening outlet of, providing for ..	803
<b>LAWRENCE, FRED F.</b> Services to legislative committee on Taxation .....	811
<b>LAWRY, W. E.</b> Legislative Papers, (old) indexing ..	725
<b>LEE ACADEMY</b> Instructors, payment of .....	786-787
<b>LEE, FRED W.</b> Stenographic Assistance, in preparation of legislative record ...	795

	Page		Page
<b>LEE, MARJORIE</b>		<b>MAINE HOME FOR FRIENDLESS BOYS</b>	
Stenographer to Speaker of House	789	Dependent Children, care and education of .....	753
<b>LEGISLATIVE COMMITTEES</b>		<b>MAINE INSTITUTE FOR BLIND</b>	
Expenses of, providing for .....	793	Adult Blind, education of .....	755
<b>LEGISLATIVE TELEPHONE SERVICE</b>		Directors, reorganization and appointment of .....	756
Payment of, providing for .....	807	<b>MAINE MISSION FOR THE DEAF</b>	
<b>LEWISTON &amp; AUBURN CHILDREN'S HOME</b>		Indigent Deaf, care of .....	755
Dependent Children, care and support of by ....	753	<b>MAINE SEED IMPROVEMENT ASSN.</b>	
<b>LEWISTON STATE ARMORY</b>		Crop Improvement, in aid of .....	767
Erection and Equipment of, providing for	794	<b>MARSHFIELD, TOWN OF</b>	
<b>LEWIS LAKE</b>		Road, from Machias to Wesley, repair of .....	776
Navigation on, in aid of .....	767	<b>MARTIN, GEORGE</b>	
<b>LIBRARY BUILDING (STATE)</b>		Services as clerk to legislative committee on Interior Waters	811
Commission, to investigate needs of	791	<b>MATTAWAMKEAG, TOWN OF</b>	
<b>LIMERICK ACADEMY</b>		Covered Bridge, across Mattawamkeag river, repair of	782
Maintenance, providing for ....	787-788	<b>MECHANIC FALLS, TOWN OF</b>	
<b>LIMINGTON, TOWN OF</b>		School Funds (State) payment of, correcting error .....	736
Road, from Ruin Corner to Whaleback Road, repair of .....	778	<b>MEDFORD, TOWN OF</b>	
<b>LIMINGTON ACADEMY</b>		Road, leading from West line to Hawthorn's corner, repair of, ....	780
Maintenance, in aid of .....	787-788	<b>MEDICINE</b>	
<b>LINCOLNVILLE, TOWN OF</b>		Board of Registration, compensation and expenses of .....	732
Turnpike Road, repair of .....	776	<b>MERRYMEETING BAY FERRY</b>	
<b>LITCHFIELD ACADEMY</b>		Sagadahoc County, to aid in maintenance of ...	783
Maintenance, in aid of .....	787-788	<b>MEXICO, TOWN OF</b>	
<b>LONG LAKE (CUMBERLAND COUNTY)</b>		National Guard, reimbursement for support of families of .....	773
Navigation on, in aid of .....	767	<b>MILITARY</b>	
<b>LONG LAKE (WASHINGTON COUNTY)</b>		Constitutional Amendment, relating to, proposing..	790
Navigation on, in aid of .....	767	<b>MILLINOCKET, TOWN OF</b>	
<b>M</b>		Sourdunhunk road, from, to Millinocket Lake, repair of .....	780
<b>MACHIASPORT, TOWN OF</b>		Maintenance of	772
Meadow Brook Road, repair of....	780	<b>MONMOUTH ACADEMY</b>	
<b>MADAWASKA-EDMUNDSTON BRIDGE</b>		Main School Building, providing for repair of	786-787
Unexpended Balance, providing for continuance of	772	<b>MOODY, JOHN F.</b>	
<b>MADAWASKA TRAINING SCHOOL</b>		Teacher's Pension, increase of ....	736
Improvements, providing for .....	734	<b>MOOSEHEAD LAKE</b>	
<b>MADIGAN MEMORIAL HOSPITAL (HOULTON)</b>		Navigation on, in aid of .....	766
Indigent Persons, treatment of by..	755	<b>MOOSELUCKEQUINTIC LAKE</b>	
<b>MADISON, TOWN OF</b>		Navigation on, in aid of .....	767
Patterson Toll Bridge, repair of ...	782	<b>MOTOR VEHICLE REGISTRATIONS</b>	
<b>MAGALLOWAY PLANTATION</b>		Lists, providing for publication of ..	796
Middle Dam Carry Road, repair of	777	<b>MURRAY BROS. CO. (BANGOR)</b>	
<b>MAINE CHILDREN'S HOME SOCIETY (AUGUSTA)</b>		Stumpage, on Jackman-Rockwood road .....	784
Dependent Children, care and education of in .....	753		
<b>MAINE EYE &amp; EAR INFIRMARY (PORT-LAND)</b>			
Indigent Persons, treatment of by..	755		
<b>MAINE GENERAL HOSPITAL (PORT-LAND)</b>			
Indigent Persons, treatment of by..	755		

	Page		Page
<b>N</b>		<b>O</b>	
<b>NASSON INSTITUTE</b>		<b>OAKLAND</b>	
Maintenance and Equipment, in aid of . 787-788		National Guard, reimbursement for support of families of . . . . . 773	
<b>NATIONAL GUARD</b>		<b>OAKS POND</b>	
Dependent Families of, reimbursing towns and cities for support of.. 772		Screening outlet of, providing for .. 803	
Payment of Members of by State, in time of war 792		<b>OLD TOWN HOSPITAL</b>	
<b>NATIONAL GUARD ARMORIES</b>		Indigent Persons, treatment of by .. 755	
Steel Lockers, providing for purchase of . . . . . 748		<b>OLD TOWN INDIAN ISLAND NO. 1</b>	
<b>NATIONAL TAX ASSN.</b>		Teacher's Old Home, repair of . . . . . 765	
Delegates to, providing for appointment of and payment of expenses . . . . . 744		<b>ORLAND, TOWN OF</b>	
<b>NEW CANADA PLANTATION</b>		Road, leading from East Orland to Ellsworth line . . . . . 773	
Road, construction of as located by County Com. . . . . 778		<b>ORNEVILLE, TOWN OF</b>	
leading from to the Caribou Road . . . . . 779		Road, leading from Milo town line 779	
<b>NEW ENGLAND FRUIT SHOW</b>		State Pauper, reimbursing for support of . . . . . 761	
Exhibition and premiums on Maine fruit . . . . . 770		<b>OTISFIELD, TOWN OF</b>	
<b>NEW GLOUCESTER, TOWN OF</b>		Twin Bridge Road, repair of . . . . . 777	
Road, from Gray Station to Pownal Station repair of, . . . . . 776			
<b>NEW PORTLAND, TOWN OF</b>		<b>P</b>	
Road, leading from to Kingfield Village, repair of . . . . . 777		<b>PACKARD, SAMUEL W.</b>	
<b>NEW SHARON, TOWN OF</b>		Cattle, reimbursing for loss of .... 760	
Road, from Farmington Falls to Vienna . . . . . 779		<b>PAMEDUMCOOK LAKE</b>	
<b>NEWBURGH, TOWN OF</b>		Navigation on, in aid of . . . . . 767	
Road, from Hampden line to town line of Carmel, repair of .... 781		<b>PAMEDUMCOOK THOROUGHFARE</b>	
<b>NORMAL SCHOOLS</b>		Navigation on, in aid of . . . . . 767	
Improvements, providing for..... 734		<b>PARIS, TOWN OF</b>	
<b>NORTH BEEWICK, TOWN OF</b>		National Guard, reimbursement for support of families of . . . . . 773	
Main Road, from Wells to N. H. line, repair of . . . . . 779		<b>PARKS POND</b>	
<b>NORTH TWIN LAKE</b>		Screening outlet of, providing for .. 803	
Navigation on, in aid of . . . . . 767		<b>PASSADUMKEAG</b>	
<b>NORTH TWIN THOROUGHFARE</b>		Covered Bridge, across Passadumkeag stream, repair of . . . . . 782	
Navigation on, in aid of . . . . . 767		<b>PASSAMAQUODDY INDIANS</b>	
<b>NORTH YARMOUTH ACADEMY</b>		Agent, salary of . . . . . 729	
Buildings and Grounds, repair and improvement of 787-788		Agricultural Purposes . . . . . 728	
<b>NORTH YARMOUTH ACADEMY GRANT</b>		Church, completion of at Peter Dana's point . . . . . 731	
Township No. 1 E. 4, (Aroostook County), repair of military road ... 781		Contingent Fund, for 1918 . . . . . 731	
<b>NORTHERN MAINE GENERAL HOSPITAL</b>		Crops, bounty on . . . . . 729	
Indigent Persons, treatment of by.. 755		Educational Purposes . . . . . 729	
<b>NORWAY</b>		Fertilizer, . . . . . 729	
National Guard, reimbursement for support of families of . . . . . 773		Fuel, school, church and convent .. 730	
		Governor, salary of . . . . . 729	
		Insurance, church and school . . . . 730	
		Janitor's service, Peter Dana's Point Pleasant Point .. 730	
		Lieutenant Governor, salary of..... 729	
		May Dividends . . . . . 728	
		Medicine and medical attendance ... 729	
		November Dividends . . . . . 728	
		Flowing . . . . . 729	
		Police, Peter Dana's Point . . . . . 730	
		Pleasant Point . . . . . 728	
		Poor, relief of . . . . . 729	
		Priests, salary of . . . . . 729	
		Repairs on Buildings, Peter Dana's Point . . . . . 731	
		Pleasant Point . . . . . 730	
		Roads, Peter Dana's Point . . . . . 730	
		Pleasant Point . . . . . 730	
		Schools Books . . . . . 730	
		School House, toilet room for, at Pleasant Point . . . . . 731	

	Page		Page
Town Hall, floor of, at Pleasant Point .....	731	<b>FRANKFORD, TOWN OF</b>	
Trust Fund, interest on .....	728	Danforth Road, repair of .....	777
Wood, purchase of .....	729	<b>FRESQUE ISLE</b>	
<b>FRASE, H. G.</b>		State Pauper, reimbursing for support of .....	763
State Highway L., labor on .....	785	<b>FRESQUE ISLE GENERAL HOSPITAL</b>	
<b>PENOBSCOT INDIANS</b>		Indigent Persons, treatment of by ..	755
Agent, salary of .....	727	<b>FRINCETON, TOWN OF</b>	
Basket Ash, purchase of .....	727	Bonney Hill road, repair of .....	775
Constable, salary of .....	727		
Crops, bounty on .....	728		
Fall Dividend, .....	728		
Farming Purposes .....	728		
Farming, Supt. of .....	727		
Governor, salary of .....	726		
Lieutenant Governor, salary of ..	726		
Medicine and Medical Attendance ..	726		
Poor Fund .....	727		
Priest, salary of .....	727		
School Incidentals, etc. ....	726		
Shore rentals .....	728		
Teachers' salaries .....	728		
Trust Fund, interest on .....	725		
<b>PENOBSCOT, TOWN OF</b>			
Morse's Cove Bridge, to rebuild ....	782		
Road, leading from Bluehill to Bucksport, repair of .....	779		
<b>PEOPLE'S FERRY COMPANY</b>			
Ferry Boat and Approaches, to aid in purchase of ....	783		
<b>PERKINS, FRED L.</b>			
State Highway L., board .....	785		
<b>PERKINS PLANTATION</b>			
Road, leading from Wilton to Weld, repair of .....	778		
<b>PERKINS, RUTH E.</b>			
Stenographer, President of Senate ..	795		
<b>PERRY, TOWN OF</b>			
East Bay Road, repair of .....	780		
<b>PHAIR, C. F. A.</b>			
Squa Pan Lake, reimbursing for screening .....	804		
<b>PILGRIMS, LANDING OF</b>			
300th Anniversary, providing for observance of ....	733		
<b>PLANTATION 33 (Hancock Co.)</b>			
State Aid Road, reimbursing for over expenditure ..	785		
<b>POLAND, TOWN OF</b>			
National Guard, reimbursing for support of families of .....	773		
<b>PORTLAND STATE ARMORY</b>			
Repairs on, providing for .....	748		
<b>PORTLAND HARBOR</b>			
Improvements in, providing for a commission to investigate .....	737		
<b>PORTSMOUTH-KITTERY BRIDGE</b>			
Survey of, by Highway Commission	771		
<b>POULTRY INDUSTRY</b>			
Development of, to encourage .....	769		
<b>POWHAL, TOWN OF</b>			
Road from station to Gray station, repair of .....	776		
		<b>REPRESENTATIVE APPORTIONMENT</b>	
		Constitutional Amendment, relative to, proposing .....	807
		<b>RICHARDSON LAKES</b>	
		Narrows, between Upper and Lower, aid of navigation in ....	767
		<b>RICKER CLASSICAL INSTITUTE</b>	
		Buildings and Fixtures, repair and improvement of 786-788	
		<b>RIPLEY, TOWN OF</b>	
		Road, leading from Upper Main Stream bridge to Dexter line, repair of .....	776
		<b>RIVERS</b>	
		Navigation on, in aid of .....	766
		<b>ROADS</b>	
		Repair and construction of .....	775
		<b>ROADS AND BRIDGES</b>	
		Construction and Repair of .....	775
		<b>ROBINSTON, TOWN OF</b>	
		National Guard, reimbursement for support of families of .....	773
		<b>ROLLINS, T. M.</b>	
		House Mail Carrier, reimbursing for expenses .....	806
		<b>ROME, TOWN OF</b>	
		Road, leading from Waterville to Farmington, repair of .....	780
		<b>RUMFORD, TOWN OF</b>	
		National Guard, reimbursing for support of families of .....	773
		<b>RUMFORD HOSPITAL (RUMFORD)</b>	
		Indigent Persons, treatment of by ..	755



	Page		Page
<b>SANBORN, MABEL G.</b>		<b>SQUA PAN LAKE</b>	
Robbins, Kate C., money expended in support of ....	771	Screening, reimbursing John E. Sewall and C. F. A. Phair, for amount expended in screening .....	804
<b>SCREENING LAKES AND PONDS</b>		<b>ST. ELIZABETH'S ROMAN CATHOLIC ORPHAN ASYLUM</b>	
Assistance in, providing for .....	802	Dependent Children, care and education of, by .....	753
<b>SEBAGO LAKE, ETC.</b>		<b>ST. JOSEPH'S ACADEMY</b>	
Navigation on, in aid of .....	767	Maintenance, in aid of .....	786-788
<b>SEBEC LAKE</b>		<b>ST. MARY'S GEN. HOSPITAL</b>	
Navigation on, in aid of .....	767	Indigent Persons, treatment of by ..	755
<b>SENATE CHAMBER</b>		<b>STANLEY PONDS</b>	
Coat of Arms, providing for .....	720	Screening outlet of, providing for ..	802
<b>SENATE CHAPLAINS</b>		<b>STANLEY, RACHEL</b>	
Payment of, providing for .....	795	Pension, providing for, for 1917 and 1918 .....	718
<b>SENATE EMPLOYEES</b>		<b>STAPLES, JOSEPH</b>	
Payment of, providing for .....	795	State Highway L. labor .....	785
<b>SENATE PAY ROLL</b>		<b>STAPLES, RALPH E.</b>	
Attendance and Travel, providing for payment for .....	805	State Highway L., labor .....	785
<b>SEWALL, JOHN E.</b>		<b>STATE ARMORY</b>	
Squa Pan Lake, reimbursing for screening .....	804	Bangor, providing for erection and equipment of .....	792
<b>SHENNECK, ALLAN</b>		Lewiston, providing for erection and equipment of .....	794
Burial Expenses, providing for payment of .....	763	<b>STATE CENTENNIAL ANNIVERSARY</b>	
<b>SHERIFFS</b>		Observance of, providing for .....	733
Removal of, proposing Constitutional amendment providing for .....	738	<b>STATE HIGHWAY COMMISSION</b>	
<b>SHERMAN, CLARENCE</b>		Defense of Law Suit, on account of construction of bridge ...	784
State Highway L., labor .....	785	<b>STATE LIBRARY BUILDING</b>	
<b>SHRUBS AND TREES</b>		Commission, to investigate needs of providing for .....	791
Protection of, from insects and diseases .....	764	<b>STATE PENSIONS</b>	
<b>SIDNEY, TOWN OF</b>		Allen, Mary, Bowdoinham, .....	809
River road, and Middle Road, repair of .....	780	Andrews, Lucena P., Stockton Springs, .....	809
<b>SISTERS OF CHARITY</b>		Arey, Charlotte A., Brewer, .....	810
Aid of Hospital, providing for ....	769	Black, Harvey C., Augusta .....	810
<b>SKOWHEGAN, TOWN OF</b>		Carley, Georgiana, Stockton Springs, ..	809
National Guard, reimbursing for support of families of .....	773	Clark, William H., Levant, .....	809
<b>SOMERSET HOSPITAL (SKOWHEGAN)</b>		Couray, Arvesta M., Lisbon .....	809
Indigent Persons, treatment of, by ..	755	Coombs, Addie L., Montville .....	809
<b>SONGO RIVER</b>		Cushman, Zebedee M., Kennebunk ..	809
Navigation on, in aid of .....	767	Dano, Phoebe, Readfield .....	810
<b>SOUTH TWIN LAKE</b>		Darling, Luella, Oxbow Pl., .....	809
Navigation on, in aid of .....	767	Dill, Harmon J., Lewiston, .....	810
<b>SOUTH TWIN THOROUGHFARE</b>		Durham, William H., Belfast .....	809
Navigation on, in aid of .....	767	Eaton, Ella W., Brunswick .....	810
<b>SOUTHWEST HARBOR, TOWN OF</b>		Everson, Mrs. S. J., Addison .....	810
Long Hill road, repair of .....	777	Flood, Stephen F., St. George .....	809
<b>SPANISH WAR</b>		Francis, Margaret, Lubec .....	810
Veterans of, providing for extra pay to .....	743	Fraser, Jane, Clifton .....	810
		Galvin, Patrick A., Auburn .....	809
		Gannett, Emma A., Augusta .....	809
		Getchell, Olive A., North Berwick..	809
		Gleason, Bertha A., Portland .....	810
		Goodwin, Mary J., Old Town .....	810
		Goodwin, Samuel S., Amherst .....	810
		Guptill, Nehemiah, Addison .....	809
		Hall, Rosilla, Harrington .....	810
		Hannaford, Adaline M., Lewiston ..	809
		Haskell, Perlie A., Sidney .....	810
		Hogan, Bridget, Lewiston .....	810
		Hogan, Hannah, Lewiston .....	810
		Holden, Levi E., Norway .....	809
		Hood, Alice S., Augusta .....	810
		Howe, Annie., Perry .....	810

Page	Page
Hunton, James R., Milford .....	810
Kelleher, Johanna J., Lewiston .....	810
Lamson, John, Vassaboro .....	809
Larrabee, Ann M., Winterport .....	810
Lawry, Achsa E., Montville .....	810
Lawry, Electa J., Montville .....	810
Libby, Cora M., Kennebunk .....	809
Libby, Joann P., Greenwood .....	809
Loud, Amanda H., Randolph .....	809
Lovell, Annie M., Starks .....	810
McElroy, Pamela F., Topsfield .....	809
McKenney, Eliza A., Winn .....	810
Merrill, Susan B., Norway .....	809
Millett, Myra G., Portland .....	809
Munson, Abagail, Calais .....	810
Nelligan, Catharine, Brewer .....	810
Owen, M. Frances, Buxton .....	810
Preble, Charles D., Kittery .....	809
Bemick, Carolina E., Otis .....	810
Rines, Theresa, Etna .....	810
Robbins, Charles S., Lewiston .....	809
Roberts, Drusilla, Brooks .....	809
Root, Margaret H., Kittery .....	809
Rust, Hattie E., South Portland .....	809
Saunders, Vinnie E., Trescott .....	809
Sawyer, John H., Westbrook .....	810
Sealey, Salathiel D., Perry .....	810
Shute, Ellen M., Stockton Springs .....	809
Smith, Emily T., Litchfield .....	810
Snow, Maria L., Sedgwick .....	810
Spears, George E., Montville .....	810
Stevens, Flora, Lewiston .....	809
Suttter, Lydia E., Monticello .....	810
Sutherland, Inez, Nashville Pl. ....	810
Thomas, Eliza A., Lewiston .....	810
Toomey, Bertha A., Bangor .....	810
Twombly, Harriett G., Harrison .....	810
Wallace, Maria L., Lubec .....	810
Watkins, Dorcas W., Lewiston .....	809
White, Sarah E., Princeton .....	809
Whitney, Winifred, Union .....	809
Wight, Lorenzo D., Montville .....	810
Wildar, James D., Hiram .....	809
Wither, Syrena B., Madison .....	810
<b>STATE PRISON</b>	
Maintenance and current expenses, providing for .....	744
<b>STATE SCHOOL FOR BOYS</b>	
Maintenance and other purposes, providing for .....	756
<b>STATE SCHOOL FOR GIRLS</b>	
Maintenance and other purposes, providing for .....	758
<b>STETSON POND</b>	
Screening outlet of, providing for ..	803
<b>STUART, W. M.</b>	
Senate Document Clerk, in favor of	795
<b>T</b>	
<b>TEMPORARY HOME FOR WOMEN AND CHILDREN</b>	
Dependent Children, care and educa- tion of, in ....	754
<b>TILDEN, CHAS. W.</b>	
Oil Painting of, providing for ac- ceptance of by State .....	741
<b>TOWERS, MILES</b>	
State Highway L. labor .....	785
<b>TOWNS</b>	
Polling Places, proposing Constitu- tional amendment providing for divi- sion into .....	760
<b>TOWNSHIP 14 (Wash. Co.)</b>	
West Ridge Road, repair of .....	777
<b>TOWNSHIP 17, R. 5 (Aroostook Co.)</b>	
Settlers in, to clear the title of ..	771
<b>TOWNSHIPS 9 &amp; 10 (Hancock Co.)</b>	
Road, leading from Franklin to Cherryfield, repair of .....	777
<b>TREES &amp; SHRUBS</b>	
Protection of, from insects and dis- eases .....	764
<b>TRENTON</b>	
Mt. Desert Toll Bridge, assistance in freeing..	782
<b>TRESCOTT</b>	
Roads, repair of .....	776
<b>TRULL HOSPITAL AID ASSN.</b>	
Indigent Persons, treatment of by ..	764
<b>TRUNDY, A. E. &amp; SON</b>	
State Highway L., timber .....	785
<b>TUBERCULOSIS SANATORIUM</b>	
Aroostook County, construction of..	788
<b>12th COMPANY C. A. C. M. G.</b>	
Presidential Inauguration, expenses of at- tending ..	717
<b>U</b>	
<b>UNDERWOOD, JOSEPH H.</b>	
Payment of Losses, incurred on ac- count of obey- ing orders of Live Stock Sanitary Com.	775
<b>UNION, TOWN OF</b>	
Road, leading from Walcot's Corner to Warren line, repair of ....	777
<b>UNITY, TOWN OF</b>	
Road, from Freedom Village to Thorndike Station, repair of ..	786
<b>UNIVERSITY OF MAINE</b>	
Maintenance and construction of new buildings, providing for	765
Unnegotiable Road, providing for re- funding of ....	747
<b>UPTON, TOWN OF</b>	
Middle Dam Carry Road, repair of	777
<b>V</b>	
<b>VAN BUREN COLLEGE</b>	
Maintenance, and equipment, provid- ing for .....	786-788
<b>W</b>	
<b>WADE, STEEL M.</b>	
Stenographer, Clerk of the House, for services .....	790
<b>WALDO COUNTY</b>	
Book of Plans, providing for com- pletion of .....	761
<b>WALDO COUNTY GEN. HOSPITAL (REL- FAST)</b>	
Indigent Persons, treatment of by ..	755

	Page		Page
<b>WALLAGRASS PLANTATION</b>		<b>WHITNEYVILLE, TOWN OF</b>	
Road, construction of as located by County Com. ....	778	Road, from Machias to Wesley, re- pair of .....	776
<b>WARREN, TOWN OF</b>		<b>WILD LANDS</b>	
Road, leading from Crawford's Cor- ner to town line of .....	777	Taxation, obtaining information relative to, for purposes of .....	806
<b>WASHINGTON COUNTY, T. 31</b>		<b>WILSON LAKE</b>	
Bridges, repair of .....	781	Screening outlet of, providing for ..	803
<b>WASHINGTON PLANTATION</b>		<b>WILTON, TOWN OF</b>	
Road, leading from Wilton to Weld, repair of .....	778	State Paupers, reimbursement for support of .....	740
<b>WATERVILLE, CITY OF</b>		<b>WINN, TOWN OF</b>	
National Guard, reimbursement for support of families of .....	773	Lee Road, repair of .....	781
<b>W. C. T. U. TEMPORARY HOME GAR- DENER)</b>		<b>WINSLOW, TOWN OF</b>	
Dependent Children, care and educa- tion of in ....	764	National Guard, reimbursing for support of families of .....	773
<b>WEBBER HOSPITAL (BIDDEFORD)</b>		<b>WOMAN'S SUFFRAGE</b>	
Indigent Persons, treatment of in ..	766	Constitutional Amendment, propos- ing ....	718
<b>WEBSTER PLANTATION</b>		<b>WOMEN'S CHRISTIAN ASSN. (LEWIS- TON)</b>	
Mattagoodus Stream, construction of bridge across .....	782	Home and Reading Room, for work- ing wom- en .....	756
<b>WEIGHTS AND MEASURES</b>		<b>WOMEN'S REFORMATORY</b>	
Bureau of, to aid in conducting....	770	Maintenance and other purposes, providing for .....	751
<b>WELLS, TOWN OF</b>			
Main Road, from to New Hampshire line, repair of .....	779	<b>Y</b>	
<b>WESLEY, TOWN OF</b>		<b>YANKAUBER, ALFRED</b>	
State Aid Road, repair of .....	776	Inheritance Tax, for information furnished relative to .....	733
<b>WESTBROOK SEMINARY</b>		<b>YORK COUNTY</b>	
Hersey Hall, furnishings, providing for .....	787-788	Temporary Loan, negotiation of by County Commis- sioners .....	746
Outstanding Debts, providing for payment of .....	787-788	<b>YORK COUNTY CHILDREN'S AID SO- CIETY (SACO)</b>	
<b>WESTERN MAINE SANATORIUM</b>		Dependent Children, care and educa- tion of by ....	754
Food Supplies .....	722	<b>YORK HOSPITAL (YORK)</b>	
General Expenses .....	723	Indigent Persons, treatment of by ..	755
Personal Services .....	722		
Poultry Houses, construction of ....	723	<b>YOUNG MEN'S CHRISTIAN ASSN. HOS- PITAL (GREENVILLE)</b>	
Repairs and Equipment .....	722	Indigent Persons, treatment of by ..	754
Sewerage System .....	723		
<b>WESTFIELD, TOWN OF</b>			
State Pauper, reimbursing for sup- port of .....	782		

## Resolves 1916

(Special Session)

<b>HOUSE PAY ROLL</b>		<b>SENATE PAY ROLL</b>	
Payment of, providing for .....	822	Payment of, providing for .....	819





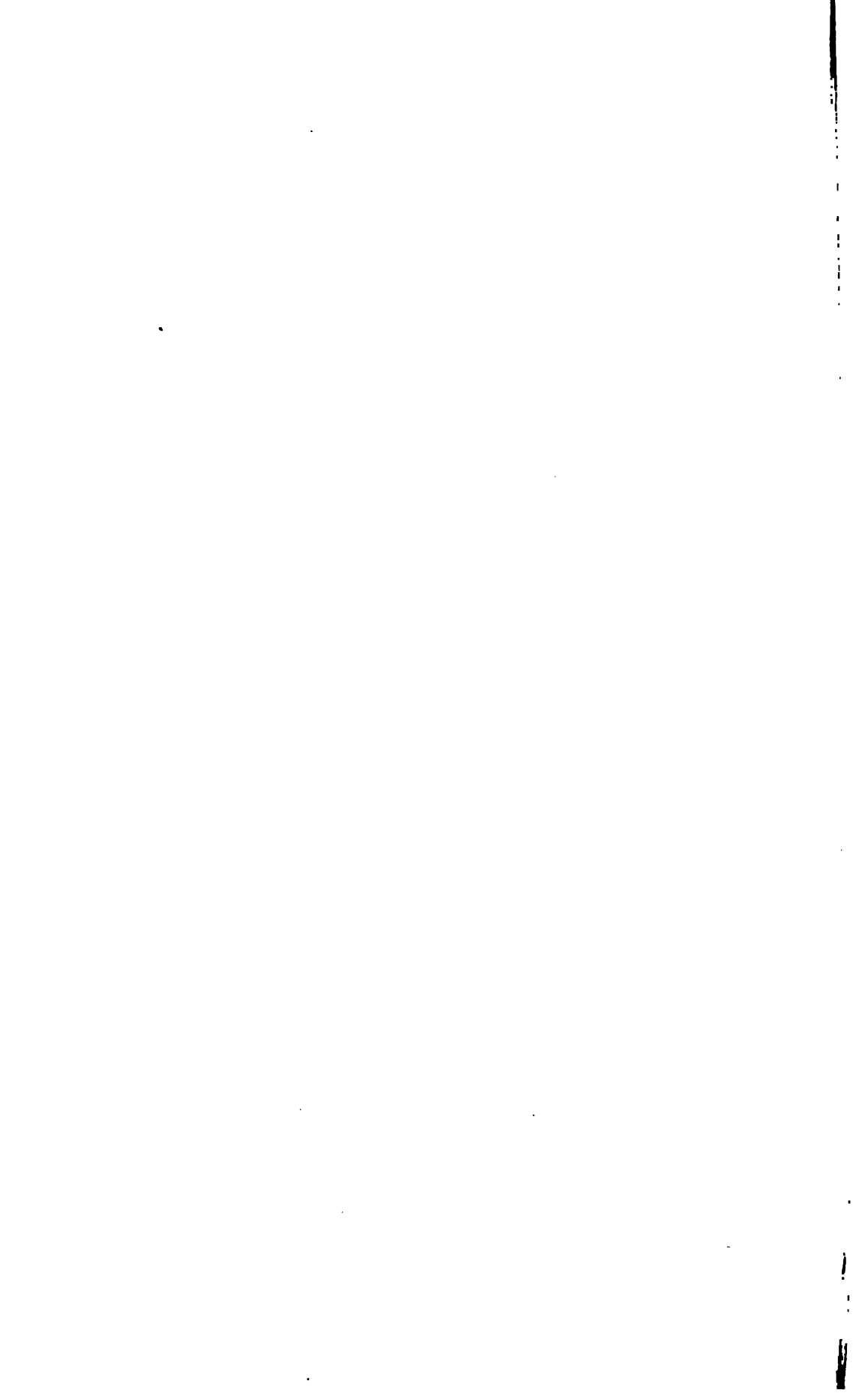












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